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CORRIGENDA

Page 193, Title: CROWN. In the list of Statutes, *insert*—

1830. 1 W. 4. c. 4.

and under heading 3 Demise, after I. Edw. 7, C. 5, *add*—

1 W. 4. c. 4.

CHRONOLOGICAL TABLES

AND

INDEX

OF

THE INDIAN STATUTES

COMPILED UNDER THE ORDERS OF THE
GOVERNMENT OF INDIA.

VOL II

INDEX TO THE INDIAN STATUTES IN FORCE

CALCUTTA
SUPERINTENDENT GOVERNMENT PRINTING, INDIA
1911

[ALL RIGHTS RESERVED.]

Price, with Chronological Tables, Five Rupees.
English Price, Seven Shillings and Sixpence.

NOTE TO SECOND EDITION.

THIS, the second edition of the Index of the Indian Statutes, includes all enactments in force at the close of the year 1910. The changes effected in the Statute-book by subsequent legislation while the present edition was passing through the press have been left out. An exception, however, has been made in the case of two Acts of the Governor General's Council, namely, the Criminal Tribes Act, 1871, and the Prevention of Seditious Meetings Act, 1907, which have been repealed with immediate effect by the Criminal Tribes Act, 1911, and the Prevention of Seditious Meetings Act, 1911, respectively ; the two repealed Acts have been omitted, the repealing Acts being indexed in their place.

2. The present edition has been prepared on the same lines as its predecessor except that it has been considered unnecessary to notice partial repeals and textual amendments of Acts which are printed as modified by such repeals and amendments in the latest editions of the general or local Codes (as the case may be) published by Government.

3. Short titles of all Acts having short titles are entered in the Index with references to the titles and headings under which they have respectively been indexed.

4. An appendix has been added containing an index of private Acts which have not been republished.

SIMLA ;
The 1st August 1911.

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LIST OF ABBREVIATIONS.

In this Work the following abbreviations are used.

ad.	added by.
Aj.	Ajmere-Merwara.
am.	amended by.
And.	Andaman and Nicobar Islands.
Ara.	Arakan Hill District.
As.	Assam.
Ben.	Bengal.
Ben. Act	Bengal Act.
Bo.	Bombay.
Bom.	Bombay.
Bom. Act	Bombay Act.
Br. Bal.	British Baluchistan.
Bu.	Burma, Upper and Lower.
Bur Act	Burma Act.
Cal.	Calcutta.
C. P.	Central Provinces.
Co.	Coorg.
E. B.	Eastern Bengal.
E. B. & A. Act	Eastern Bengal and Assam Act.
Haz.	Hazara District of the Punjab.
ins.	inserted by.
Kar.	Karachi.
Lah.	Lahore.
L. B.	Lower Burma.
M.	Madras.
Mad.	Madras.
Mad. Act	Madras Act.
N.-W. F.	North-West Frontier Province.
O.	Oudh.
Or.	Orissa.
P.	Punjab.
P. Act	Punjab Act.
pt. rep.	repealed in part.
Ran.	Rangoon.
Reg.	Regulation.
rep. pt.	repealed in part.
Sub.	Suburbs.
U. B.	Upper Burma.
U. P. Act	United Provinces Act

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1. Generally.

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2. Interpretation of particular Words and Enactments.

1. Generally.

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Public, every Act after 1850 to be	„ s.9.
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2. Interpretation of particular Words and Enactments.

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[1] The short titles conferred by this Act have been entered in the Chronological Table of Acts of Parliament relating to India, and the collective titles so conferred have in most cases been noted in the Index.

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,, Reg. 9, s. 3 (Laws, Arakan Hill District).
1875. Act 20, s. 3 (Laws, Central Provinces).
1876. Act 18, s. 3 (Laws, Oudh).
1877. Reg. 3, s. 3 (Laws, Ajmere).
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1894. Reg. 1, s. 3 (Laws, Angul).
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,, Reg. 5, s. 3 (Laws, Chin Hills).
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1. Generally.

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Act of Local Council . . . . Ben.Act1,1899,s.23. Bom.Act1,1904,s.22. Bur.Act1,1898,s.22. E.B.&A.Act1,1909,s.27. Mad.Act1,1891,ss.4,6. P.Act1,1898,s.20. U.P.Act1,1904,s.22.

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throughout the Bombay Presidency, except as regards the Scheduled Districts . . . " s.5,Sch.III.

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ACTS AND REGULATIONS OF INDIAN LEGISLATURES—*contd.*

1. Generally—*contd.*

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in the Central Provinces	Act20,1875,s.3.
in Oudh	Act18,1876,s.3.
in the Punjab	Act4,1872,s.3.
in the North-West Frontier Province	Reg.7,1901,s.4.
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2. Interpretation of Particular Words and Enactments.

(*a*) ACTS AND REGULATIONS OF THE GOVERNOR GENERAL IN COUNCIL.

Masculine, plural, etc., words	Act10,1897,s.13.
"Affidavit," "Barrister," "British India," "District Judge," "Father," "Government of India," "Her Majesty" or "the Queen," "High Court," "Immoveable Property," "Imprisonment," "Local Government," "Magistrate," "Month," "Moveable Property," "Oath," "Person," "Section," "Son," "Swear," "Will" and "Year," in Acts from 3rd January, 1868, and Regulations from 14th January, 1887	„ ss.3,4(*1*).
"Abet," "Chapter," "Commencement," "Financial Year," "Local Authority," "Master" (of a ship), "Offence," "Part," "Public Nuisance," "Registered," "Schedule," "Ship," "Sign," "Sub-section" and "Writing," in Acts and Regulations from 14th January, 1887	„ ss.3,4(*2*).
"Act" (used with reference to an offence or a civil wrong), "Bengal Act," "Bombay Act," "British Possession," "Burma Act," "Collector," "Colony," "Commissioner," "Consular Officer," "Document," "Enactment," "Good Faith," "Government," "India," "Madras Act," "North-Western Provinces and Oudh Act," "Political Agent," "Presidency-town," "Privy Council," "Province," "Punjab Act," "Regulation," "Rule," "Scheduled District," "United Provinces Act" and "Vessel," in Acts and Regulations from 11th March, 1897	s.3.
"North-Western Provinces and Oudh," "North-Western Provinces," "Province of Oudh," "Lieutenant-Governor of the North-Western Provinces" "Lieutenant-Governor of the North-Western Provinces and Oudh in Council," and "Chief Commissioner of Oudh," in Acts and Regulations prior to 7th January, 1904	U.P.Act1,1904,s.29.

ACTS AND REGULATIONS OF INDIAN LEGISLATURES—*contd.*

2. Interpretation of Particular Words and Enactments—*contd.*

(*b*) ACTS OF THE LIEUTENANT-GOVERNOR OF BENGAL IN COUNCIL.

Masculine, plural, etc., words	Ben. Act 1, 1899, s.14.
"Abet," "Act," "Barrister," "Bengal," "Bengal Act," "Chapter," "Collector," "Commencement," "Commissioner" "Consular Officer," "District Judge," "Document," "Enactment," "Father," "Financial Year," "Good Faith," "Government," "Government of India," "Her Majesty" or "the Queen," "Immoveable Property," "Imprisonment," "Local Authority," "Local Government," "Master," "Moveable Property," "Offence," "Part," "Person," "Public Nuisance," "Registered," "Regulation," "Rule," "Schedule," "Scheduled District," "Section," "Ship," "Sign," "Son," "Sub-section," "Vessel," "Will," "Writing" and "Year," in Acts from 18th January, 1899	" s.3.
"Affidavit," "Magistrate," "Month," "Oath" and "Swear," in Acts from 1st June, 1867	" ss.3,4.
"Land" and "Person" in Acts between 1st June 1867 and 18th January, 1899	" s.5.

(*c*) REGULATIONS AN ACTS OF THE GOVERNOR OF BOMBAY IN COUNCIL.

Masculine, plural, etc., words	Bom. Act 1, 1904, s.13.
"Abet," "Affidavit," "British India," "Chapter," "City of Bombay," "Collector," "Commissioner," "Good Faith," "Government of India," "Immoveable Property," "Imprisonment," "Magistrate," "Month," "Moveable Property," "Oath," "Part," "Person," "Presidency of Bombay," "Schedule," "Section," "Swear," "Vessel," "Writing," "Year"	" ss.3,4.
"Act," "Barrister," "Bombay Act," "Bombay Government Gazette," "Bombay Presidency," "Commencement," "Consular Officer," "District Judge," "Document," "Enactment," "Father," "Financial Year," "High Court," "His Majesty," "the King," "Local Authority," "Local Government," "Master," "Offence," "Public Nuisance," "Registered," "Regulation," "Rule," "Scheduled District," "Ship," "Sign," "Son," "Sub-section," "Will," in Bombay Acts from 30th May, 1904	" s.3.

(*d*) ACTS OF THE LIEUTENANT-GOVERNOR OF BURMA IN COUNCIL.

Masculine, plural, etc., words	Bur. Act 1, 1898, s.12.
"Abet," "Act," "Affidavit," "Barrister," "British India," "British Possession," "Burma," "Burma Act," "Chapter," "Chin Hills," "Chins," "Collector," "Colony," "Commencement," "Commissioner," "Consular Officer," "Deputy Commissioner," "District Court," "District Judge," "Document," "Enactment," "Father," "Financial Year," "Gazette," "Good Faith," "Government" or "the Government," "Government of India," "Her Majesty," "Immoveable Property," "Imprisonment," "India," "Kachin Hill Tract," "Kachin Hill-tribe," "Local Authority," "Local Government," "Magistrate," "Master," "Month," "Moveable Property," "Notification," "Oath," "Offence," "Part," "Person," "Political Agent," "Privy Council," "Province,"	" s.2.

ACTS AND REGULATIONS OF INDIAN LEGISLATURES—*contd.*

2. Interpretation of Particular Words and Enactments—*contd.*

(*d*) ACTS OF THE LIEUTENANT-GOVERNOR OF BURMA IN COUNCIL—*contd.*

"Public Nuisance," "the Queen," "Rangoon Town," "Registered," "Regulation," "Rule," "Schedule," "Scheduled District," "Section," "Shan States," "Ship," "Sign," "Son," "Sub-section," "Swear," "Vessel," "Will," "Writing" and "Year"	Bur.Act,1898,s.2.
"Lower Burma," "Upper Burma"	" s.3.

(*e*) ACTS OF THE LIEUTENANT-GOVERNOR OF EASTERN BENGAL AND ASSAM IN COUNCIL.

Masculine, plural, etc., words	E.B.&A.Act1,1909,s.17.
"Abet," "Act," "Affidavit," "Assam," "Assam Regulation," "Barrister," "Bengal Act," "British India," "British Possession," "Chapter," "Collector," "Colony" "Commencement," "Commissioner," "Consular Officer," "Deputy Commissioner," "District Court," "District Judge," "Document," "Eastern Bengal," "Eastern Bengal and Assam," "Eastern Bengal and Assam Act," "Enactment," "Father," "Financial Year," "Gazette," "Good Faith," "Government," "Government of India," "High Court," "His Majesty" or "the King," "Immoveable Property," "Imprisonment," "India," "Local Authority," "Local Government," Magistrate," "Master" (of a ship), "Month," "Moveable Property," "Notification," "Oath," "Offence," "Part," "Person," "Political Agent," "Privy Council," "Province," "Public Nuisance," "Registered," "Regulation," "Rule," "Schedule," "Scheduled District," "Section," "Ship," "Sign," "Son," "Sub-section," "Swear," "Vessel," "Will," "Writing," "Year"	" ss.5,8.
"Affidavit," "Land," "Magistrate," "Month," "Oath," "Person," "Swear," in Bengal Acts between 1st June, 1867, and 18th January, 1899	" ss.6,7.

(*f*) ACTS OF THE GOVERNOR OF FORT ST. GEORGE IN COUNCIL.

Masculine, plural, etc., words, in Acts from 1891	Mad.Act1,1891,s.3(34), (35).
Words referring to acts done extend to illegal omissions (Acts from 1891)	" s.3(36).
Words and expressions referred to in Indian Penal Code, Chapter II, or in Code of Criminal Procedure, 1882, Chapter I (Acts from 1867 to 1890)	Mad.Act1,1867,s.1. Mad.Act1,1891,s.2.
"Magistrate of Police" and "Town of Madras," in Acts from 1867 to 1890	Mad.Act1,1867,s.2. Mad.Act1,1891,s.2.
"Abet," "Affidavit," "Barrister," "British India," "Chapter," "City of Madras," "Collector," "Commencement," "District Collector," "Document," "Father," "Financial Year," "Good Faith," "Her Majesty," "Immoveable Property," "Imprisonment," "Judicial Proceeding," "Local Authority," "Local Government," "Magistrate," "Month," "Moveable Property," "Oath," "Offence," "Part," "Person," "Place," "Presidency of Madras," "Presidency-town," "Public," "Public Nuisance," "Registered," "Schedule," "Section," "Sign," "Son," "Sub-section," "Swear," "Value," "Will," "Writing" and "Year," in Acts from 1891	" s.3.

ACTS AND REGULATIONS OF INDIAN LEGISLATURES—*contd.*

2. Interpretation of Particular Words and Enactments—*concld.*

(*g*) ACTS OF THE LIEUTENANT-GOVERNOR OF THE PUNJAB IN COUNCIL.

Masculine, plural, etc., words . . . . . U P.Act1,1898,s.11.

"Abet," "Act," "Affidavit," "Barrister," "British India," "British Possession," "Chapter," "Chief Court," "Collector," "Colony," "Commencement," "Commissioner," "Consular Officer," "Deputy Commissioner," "District Judge," "Document," "Enactment," "Father," "Financial Commissioner," "Financial Year," "Gazette," "Good Faith," "Government," "the Government," "Government of India," "Her Majesty," "Immoveable Property," "Imprisonment," "India," "India Act," "Local Authority," "Local Government," "Magistrate," "Master," "Month," "Moveable Property," "Notification," "Oath," "Offence," "Part," "Person," "Political Agent," "Privy Council," "Province," "Public Nuisance," "Punjab," "Punjab Act," "Queen," "Registered," "Rule," "Schedule," "Scheduled District," "Section," "Ship," "Sign," "Son," "Sub-section," "Swear," "Vessel," "Will," "Writing," "Year" . . . " s.2.

(*h*) ACTS OF THE LIEUTENANT-GOVERNOR OF THE UNITED PROVINCES IN COUNCIL.

Masculine, plural, etc., words . . . . . U.P.Act1,1904,s.13.

"Abet," "Act," "Affidavit," "Agra," "Assistant Collector," "Barrister," "Board of Revenue," "Chapter," "Collector," "Commencement," "Commissioner," "District Judge," "Document," "Enactment," "Father," "Financial Year," "Gazette," "Good Faith," "Government of India," "Growing Crops," "High Court," "His Majesty" or "the King," "Immoveable Property," "Imprisonment," "Local Authority," "Local Government," "Magistrate," "Month," "Moveable Property," "Oath," "Offence," "Part," "Person," "Public Nuisance," "Registered," "Regulation," "Rule," "Schedule," "Scheduled District," "Section," "Sign," "Son," "Sub-section," "Swear," "United Provinces," "United Provinces Act," "Vessel," "Will," "Writing" and "Year" . . . . . " s.4.

"North-Western Provinces and Oudh," "North-Western Provinces," "Province of Oudh," "Lieutenant-Governor of the North-Western Provinces," "Lieutenant-Governor of the North-Western Provinces and Oudh in Council," "Chief Commissioner of Oudh," in Acts prior to 7th January, 1904 . " s.29.

ADDITIONAL POLICE. *See* DISTURBED DISTRICT; POLICE, I.

ADEN.

1. Status and Laws.

Aden is a Scheduled District . . . . . Act14,1874,s.1,Sch.I, Pt.III. Act15,1874,s.2,Sch.VI, Pt.II.

"Aden," in past and future enactments and rules, what to include Reg.2,1891,s.2.

Enactments in force in part of "Aden" to extend to the whole of that place . . . . . " s.3.

Power to except whole or part of Aden from operation of any enactment . . . . . " s.4.

ADEN—*contd.*

2. Administration of Justice.

Civil Justice :

Jurisdiction of Resident and his Assistants . . . . . Act2,1864,ss.2to7.

No appeal from Resident's decisions, but he may refer questions of law, etc., to High Court, Bombay . . . . . „ ss.8to13.

Small Cause Court powers . . . . . „ s.14.

Resident to be guided by spirit and principles of Bombay laws . „ s.15.

Application of Code of Civil Procedure . . . . . „ s.16.

Criminal Justice :

Jurisdiction of Resident and his Assistants . . . . . „ ss.17to22.

Application of Code of Criminal Procedure . . . . . „ ss.18,20,23,27.

European British subjects charged with offences punishable with death, to be tried by High Court, Bombay . . . . . „ s.21.

„ „ „ charged with certain other offences to be tried by Resident . . . „ s.22.

Europeans and Americans to be tried by jury ; procedure . . „ ss.24to27.

Sentence of death ; confirmation and commutation of . . „ s.28.

No appeal from sentence of Resident, but he may reserve point of law for opinion of Bombay High Court ; review by that Court . . . . . „ ss.29,30.

Power of High Court, Bombay, to make rules . . . . . „ s.31.

Court of Resident declared to be a Colonial Court of Admiralty . Act16,1891,s.2.

3. Management of Local Affairs.

Aden Settlement Regulation, 1900, to extend to whole of Aden excepting cantonments . . . . . Reg.7,1900,s.1.

"Resident," defined . . . . . „ „ s.2.

Executive committee, establishment, incorporation and power of ; Resident to act till constitution of . . . . . „ ss.5,13,22.

Officers and servants, appointment, pensions, leave allowances, etc., of . . . . . „ ss.7to10.

Power to make rules and by-laws for conduct of business, appointment, etc., of officers and servants ; execution of contracts, etc. „ ss.13,17.

Aden Settlement Fund ; constitution, management, control and application of ; account and audit . . . . . „ ss.3,4,6,13.

Public buildings, etc., public markets, slaughter-houses, water-courses, waterworks, drains, sewers, lamps, streets, etc., and all land transferred for public purposes, etc., management, control and application of . . . . . „ ss.4,13.

Power to impose cesses, taxes, tolls, etc. ; recovery of arrears . „ ss.11,13,19.

Public nuisances, power to deal with . . . . . „ ss.12,13.

Power of Resident to make rules as to constitution, etc., of executive committee, execution of contracts, account and audit, Aden Settlement Fund, assessment and collection of taxes, etc., occupation, transfer, registration, etc., of land, registration of births, marriages and deaths, census, matters relating to public health, safety and convenience, abatement of nuisances, suppression of mendicancy, importuning for purposes of prostitution, exclusion of undesirable persons, restriction of immigration of aliens, etc.; penalty for breach of rules . . . . . „ ss.13to15.

Prosecutions, institution of . . . . . „ s.20.

ADEN—*concld.*

3. Management of Local Affairs—*concld.*

Police, duties of; power to arrest without warrant . . . . Reg.7,1900,s.21.
Rules and by-laws to be printed and sold . . . . . „ s.18.

4. Pilgrims and Indigent Persons.

Definitions . . . . . Reg.11,1887,s.2.
Pilgrims: lodgment of . . . . . „ s.3.
„ power to make rules as to accommodation for, sanitation of places of accommodation, fees, etc. . . . . „ s.4.
„ penalty on, for breach of Act or rule . . . . . „ s.5.
„ recovery of fees from . . . . . „ s.6.
„ or indigent persons; power to prohibit landing of; penalties . . . . . „ ss.7,8.
„ „ „ written statement by Resident, etc., conclusive proof as to whether persons are . . „ s.9.

ADEN ARMS (SEA-TRAFFIC) REGULATION, 1910. (*See* ARMS, AMMUNITION AND MILITARY STORES, 4) . . . . . Reg.3,1910.

ADEN LAWS REGULATION, 1891 (*See* ADEN, 1) . . . Reg.2,1891.

ADEN PILGRIMS AND PAUPERS REGULATION, 1887. (*See* ADEN, 4) . . . . . Reg.11,1887.

ADEN PORT TRUST ACT, 1888. [*See* CUSTOMS (Sea); MERCHANT SHIPPING, 9; PORT I,2,5; PORT COMMISSIONERS, &c., II . . Bom.Act5,1888.

ADEN SETTLEMENT REGULATION, 1900. [*See* ADEN, 3; CANTONMENT, 1; CENSUS; LAND (INDIAN LAW), D; NUISANCE]. Reg.7,1900.

ADMINISTRATION OF ESTATES (ENGLISH LAW).

Certain Indian Government securities to be deemed personal estate in England . . . . . 23-4V.c.5,s.1.
Grant of administration of foreigner's goods to foreign consul, etc. . . . . 24-5V.c.121,s.4.
Property of alien; application of, where administration granted to foreign consul . . . . . .
Sealing and effect of probate in United Kingdom when granted by Court of British Possession or British Court out of Her Majesty's dominions . . . . . 55-6V.c.6.

ADMINISTRATION OF ESTATES (INDIAN LAW).

1799. Ben. Reg. 5 (Wills and Intestacies of Natives).
1802. Mad. Reg. 3, s. 16 (Administration).
1827. Ben. Reg. 5 (Management of Estates).
„ Bom. Reg. 8 (Administration).
1829. Mad. Reg. 5, ss. 1, 2, 3 (Wills of Hindus).
1841. Act 19 (Curators).
1855. Act 12 (Torts).
1858. Act 40 (Repeal).
1865. Act 10, ss. 3, 179 to end (Probate and Administration).
1866. Act 27, ss. 3, 7, 20, 24 to 29, 34, 43, 48, 51 to 53 (Powers of High Court).
1866. Act 28, ss. 25 to 28, 38, 40 to 43, 45 (Powers of Executors and Administrators).
„ Bom. Act 12, s. 12 (Curators, Sindh).
1870. Act 21, ss. 2, 4 (Wills of Hindus, etc.).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Act 2, s. 66 (Administrator General).
„ Act 15, ss. 3 to 7 (Laws Local Extent).
1874. Reg. 9, s. 3 (Laws, Arakan Hills).
1875. Act 20, s. 3 (Laws, Central Provinces).
1877. Reg. 3, s. 3 (Laws, Ajmere).
1881. Act 5 (Probate and Administration).
1886. Act 19, s. 2 (Powers of Lieutenant-Governor, Agra).

ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*

1887. Act 12, ss. 1, 23 (Civil Courts, Assam, Bengal, Agra).
1889. Act 6 (Probate and Administration).
,, Act 7 (Collection of Debts).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1894. Reg. 1, s. 3 (Laws, Angul).
1898. Act 13, s. 4, Sch. 1 (Laws, Burma).
1901. Act 7 (Administration, Native Christians).
1902. Bom. Act 4, s. 50 (Police, Bombay City).
,, Act 5, ss. 4 (2), 5 (2), 7 (Administrator General and Official Trustee).
1905. Act 7 (Laws, Bengal and Assam).

1. Preliminary.
2. Grant of Probates and Letters of Administration.
3. Rights, Powers and Liabilities of Executors and Administrators.
4. Wrongful possession of property of deceased.
5. Collection of Debts on succession.
6. Special and Local.

1. Preliminary.

Act 19, 1841 (Curators in cases of succession)—
declared in force—
throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.
in the Arakan Hill District (with modifications, and with the exception of s. 16) . . . . . Reg.9,1874,s.3.
extended to Sindh . . . . . Bom.Act12,1866,s.12.

Act 10, 1865 (Indian Succession Act)—
applies to whole of British India . . . . . Act10,1865,s.2.
declared in force in—
the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
the Arakan Hill District (but not so as to affect Native Christians) . . . . . Reg 9,1874,s.3.
Upper Burma generally (except the Shan States) . . . Act13,1898,s.4,Sch.1.
British Baluchistan . . . . . Reg.1,1890,s.3.

Act 28, 1866 (Powers of Executors and Administrators), declared in force throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.

Act 21, 1870 (Hindu Wills Act)—
applies to Bengal and the towns of Madras and Bombay . . Act21,1870,preamble.
declared in force in the Santhál Parganas . . . . . Reg.3,1872,s.3.

Act 13, 1875 (Probate and Administration), declared in force in—
the Santhal Parganas . . . . . Reg.3,1872,s.3.
Upper Burma generally (except the Shan States) . . . Act13,1898,s.4,Sch.1.

Act 5, 1881 (Probate and Administration)—
applies to whole of British India . . . . . Act5,1881,s.1.
declared in force in—
the Santhál Parganas (s. 154) . . . . . Reg.3,1872,s.3.
Upper Burma generally (except the Shan States) . . . . Act13,1898,s.4,Sch.1.
British Baluchistan . . . . . Reg.1,1890,s.3.

Act 12, 1887 (Civil Courts), applies to Agra Province, Assam, Bengal (except Sambalpur District) and Eastern Bengal . . Act12,1887,s.1.

Act 6, 1889 (Probate and Administration), declared in force in—
the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
Upper Burma (except the Shan States) . . . . . Act13,1898,s.4,Sch.1.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*

1. **Preliminary**—*contd.*

Act 7, 1889 (Succession Certificates)—
- applies to whole of British India . . . . . Act7,1889,s.1(3).
- declared in force in—
  - British Baluchistan . . . . . Rég.1,1890,s.3.
  - Angul District . . . . . Reg.1,1894,s.3.
  - Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
  - Upper Burma generally (except the Shan States) . . . Act13,1898,s.4,Sch.1.

Ben. Reg. 5, 1799 (Wills and Intestacies of Natives), declared in force—
- throughout Agra Province, Bengal (except Sambalpur District) and Eastern Bengal, except as regards the Scheduled Districts. Act15,1874,ss.6,7.
- in Sambalpur District (in Bengal) and the Central Provinces (ss. 4, 5, 6, with a modification) . . . . . Act20,1875,s.3.
- in Ajmere (ss. 4, 5, 6, with a modification) . . . . Reg.3,1877,s.3.

Ben. Reg. 5, 1827 (Management of Estates), declared in force—
- throughout Agra Province, Bengal (except Sambalpur District) and Eastern Bengal, except as regards the Scheduled Districts. Act15,1874,ss.6,7.
- in Sambalpur District (in Bengal) and the Central Provinces (with modifications) . . . . . Act20,1875,s.3.
- in Ajmere (with modifications) . . . . . Reg.3,1877,s.3.

Bom. Reg. 8, 1827 (Administration)—
- declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts . . . . . Act15,1874,s.5.
- extended to Sindh . . . . . Bom.Act12,1866,s.12.

Mad. Reg. 3, 1802 (Administration), s. 1 and part of s. 16, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . . Act15,1874,s.4,Sch.2.

Mad. Reg. 5, 1829 (Administration, etc.), declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . . ,, s.4.

Act 10, 1865 (Indian Succession Act), application of:
- The Act does not apply to wills made or intestacies occurring before 1st January, 1866 . . . Act10,1865,s.331.
- ,, ,, ,, ,, ,, in case of Hindus, Muhammadans or Buddhists . . . . . ,, s. 331.
- ,, ,, ,, ,, ,, to intestate property dealt with by Commissioner of Police in Bombay City . Bom.Act4,1902,s.50.
- Power to exempt race, sect or tribe from operation of the Act . Act10,1865,s.332.
- S. 187 of the Act applied to certain wills of Hindus, Jainas, Sikhs and Buddhists . . . . . Act21,1870,s.2.
- Ss. 190, 239 not to apply to property of Native Christian dying intestate . . . . . Act7,1901,s.3.

Act 5, 1881 (Probate and Administration), applies in case of Hindus, Muhammadans, Buddhists and persons exempted from operation of Act 10, 1865; but certain Courts must be empowered by notification before receiving applications for probate or letters of administration . . . . . Act5,1881,s.2.

Probate or administration in case of Hindus, Muhammadans, Buddhists and persons exempted from operation of Act 10, 1865, to be granted only under Act 5, 1881 . . . . . ,, s.150.

General definitions . . . . . Act10,1865,s.3. Act5,1881,s.3.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*

2. Grant of Probates and Letters of Administration.

Legal position of executor or administrator . . . . . Act10,1865,s.179. Act5,1881,s.4.

Grant of administration with copy annexed of authenticated copy of will proved abroad . . . . . Act10,1865,s.180. Act5,1881,s.5.

Probate to whom granted . . . . . Act10,1865,ss.181to185. Act5,1881,ss.6to10.

Accrual of representation to surviving executor . . . . . Act10,1865,s.186. Act5,1881,s.11.

Probate or letters of administration required to establish right of executor, legatee, etc. . . . . Act10,1865,ss.187,190.

Effect of probate and letters of administration . . . . . Act10,1865,ss.188,191, 192,242,260. Act5,1881,ss.12,14,15, 59,82.

Renunciation by executor . . . . . Act10,1865,ss.193to195. Act5,1881,ss.16to18.

Letters of administration to whom granted . . . . . Act10,1865,ss.189,195to 207. Act5,1881,ss.13,18to23.

Grants limited in duration . . . . . Act10,1865,ss.208to211. Act5,1881,ss.24to27.

" for use and benefit of others having right . . . . Act10,1865,ss.212to218. Act5,1881,ss.28to34.

" for special purposes . . . . . Act10,1865,ss.219to225. Act5,1881,ss.35to41.

" with exception; grants of the rest . . . . . Act10,1865,ss.226to228. Act5,1881,ss.42to44.

" of effects unadministered . . . . . Act10,1865,ss.229to231. Act5,1881,ss.45to47.

Practice in granting probates and letters of administration:

District Judge to have jurisdiction . . . . . Act10,1865,s.235. Act5,1881,s.51.

Power to appoint District Delegates for non-contentious cases . Act10,1865,s.235A. Act5,1881,s.52.

Powers and procedure of District Judge as to grants . . Act10,1865,ss.236to238, 240, 261. Act5,1881,ss.53to57,83.

When and how District Judge to interfere for protection of property pending grant . . . . . Act10,1865,s.239.

Powers of District Delegate as to grants and reference to District Judge . . . . . Act10,1865,ss.241A, 253A,253B,253C. Act5,1881,ss.58,73to75.

Transmission to other Courts of certificate by High Court making grant . . . . . Act10,1865,s.242A. Act5,1881,s.60.

Petitions for grant . . . . . Act10,1865,ss.243to246, 246A,247to249. Act5,1881,ss.61to68.

Examination of petitioner, etc., publication of citation . . Act10,1865,s.250. Act5,1881,s.69.

Caveats . . . . . Act10,1865,ss.251to253. Act5,1881,ss.70to72.

Form of grant . . . . . Act10,1865,ss.254,255. Act5,1881,ss.76,77.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*

2. Grant of Probates and Letters of Administration—*contd.*

Practice in granting probate and letters of administration—*contd.*

Administration bond	Act10,1865,ss.256,257. Act5,1881,ss.78,79.
Time for grant	Act10,1865,s.258. Act5,1881,s.80.
Filing of original wills	Act10,1865,s.259. Act5,1881,s.81.
Power to refuse letters of administration	Act5,1881,s.85.
Appeals from orders of District Judge	Act10,1865,s.263. Act5,1881,s.86.
Concurrent jurisdiction of High Court	Act10,1865,s.264. Act5,1881,s.87.
Alteration and revocation of grants	Act10,1865,ss.232to234, 262,333. Act5,1881,ss.48to50,84, 157.

3. Rights, Powers and Liabilities of Executors and Administrators.

Executors of their own wrong; definition and liabilities of	Act10,1865,ss.265,266.
General powers of executors and administrators	Act10,1865,ss.267to275. Act5,1881,ss.88to96. Act6,1889,s.19.
,, duties ,, ,, ,,	Act10,1865,ss.276,277, 277A,278to291. Act5,1881,ss.97to111.
Executor's assent to a legacy	Act10,1865,ss.292to297. Act5,1881,ss.112to117, 148.
Payment and apportionment of annuities	Act10,1865,ss.298to300 Act,5,1881,ss.118to120,148.
Investment of funds to provide for legacies	Act10,1865,ss.301to308. Act5,1881,ss.121to127,148.
Produce and interest of legacies	Act10,1865,ss.309to315. Act5,1881,ss.128to138.
Refunding of legacies	Act10,1865,ss.316to325. Act5,1881,ss.135to144,148.
Residue to be paid to residuary legatee	Act10,1865,s.326. Act5,1881,s.145,148.
Transfer of assets from British India to executor or administrator in country of domicile for distribution	Act10,1865,s.326A, Act5,1881,ss.145A,148.
Liability of executor or administrator for devastation, etc.	Act10,1865,ss.327,328. Act5,1881,ss.146,147.
Action by or against executor or administrator in respect of wrong done during life of deceased occasioning pecuniary loss to his estate or for which he would have been liable to an action	Act12,1855.
Power of High Court to remove, etc., private executor or administrator and appoint successor	Act5,1902,s.4(2).
Power of High Court to give general or special direction to private executor or administrator in respect of administration	,, s.5(2).
Power of executor or administrator to incur expenditure for certain purposes	,, s.7.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*

3. Rights, Powers and Liabilities of Executors and Administrators—*contd.*

Procedure in suit by or against executor or administrator. *See* CIVIL PROCEDURE, 4.

Collection and refund of court-fees. *See* COURT-FEES, 3.

4. Wrongful possession of property of deceased.

Summary suit on complaint against wrongful possession	Act 19, 1841, ss. 1 to 4, 18.
Curator; appointment, powers, remuneration, etc., of	,, ss. 5 to 13.
,, public; powers to appoint	,, s. 19.
,, cessation of powers of, on grant of certificate to collect debts, etc.	Act 7, 1889, s. 23.
Limitations on operation of Act 19, 1841	Act 19, 1841, ss. 14 to 16.
Saving of right to bring regular suit	,, s. 17.

5. Collection of debts on succession.

(*a*) PRELIMINARY.

Act 7, 1889, local extent (*See* 1, *above*).

Definitions	Act 7, 1889, s. 3.

(*b*) CERTIFICATE TO COLLECT DEBTS.

Grant of certificate by Court	Act 7, 1889, ss. 5 to 8.
Certificate not to be granted under Act with respect to debt to which right can be established by probate or letters of administration	,, s. 1(*4*).
Grant of certificate to Native Christians	Act 7, 1901, s. 5.
Requisition of security from grantee of certificate	Act 7, 1889, s. 9.
Extension of certificate to other debts, and amendment of certificate	Act 7, 1889, ss. 10, 12.
Form of certificate	,, s. 11, Sch. II.
Court-fee on certificate	,, ss. 13, 14.
Local extent and effect of certificate	,, ss. 15 to 17.
Revocation of certificate	,, s. 18.
Appeal from order granting, etc., certificate	,, s. 19.
Effect on certificate of previous certificate or of probate or letters of administration	,, ss. 20, 21.
Validation of certain payments made in good faith to holder of invalid certificate	,, s. 22.
Surrender of superseded and invalid certificates	,, s. 27.

(*c*) MISCELLANEOUS.

Investiture of inferior Courts with jurisdiction of District Court	,, s. 26.
Act 7, 1889, not to bar suits, etc.	,, s. 25.
Proof of representative title a condition precedent to recovery through Court of debts from debtors of deceased persons	,, s. 4.
Validation of probates and letters of administration granted by High Courts or Recorder of Rangoon for purpose of collecting debts, etc.	,, s. 24.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*

6. Special and Local.

Administration of estates of military men. *See* ARMY, 6 (*e*) (2).
" " by official administrator. *See* ADMINISTRATOR GENERAL.
Payment of deposits in Government Savings Bank belonging to estate of deceased person. *See* BANK, 2.
Payment out of Provident Fund to representative of deceased person. *See* PROVIDENT FUND.

(*a*) AGRA, AJMERE, BENGAL, CENTRAL PROVINCES, EASTERN BENGAL AND ASSAM.

Executors of Hindus, Muhammadans, etc., to take charge of estate without interference by Courts	[Agra, Ben. (except Sambalpur), E.B.&A.] Ben. Reg. 5, 1799, s. 2.
S. 2 of Ben. Reg. 5, 1799, repealed so far as relates to executors of persons who are not Muhammadans, but are subject to jurisdiction of District Courts in Bengal or Assam	Act 21, 1870, s. 4.
Heirs of Hindus, Muhammadans, etc., dying intestate not bound to apply to Court for permission to take possession of estate	[Agra, Ben. (except Sambalpur), E.B.&A.] Ben. Reg. 5, 1799, s. 3.
Reference to Court when succession disputed between several claimants	(Agra, Aj., Ben., C.P., E.B.& A.) Ben. Reg. 5, 1799, s. 4.
So much of ss. 2 and 3 of Ben. Reg. 5, 1799, as restricts the interference of Civil Courts in cases of inheritance by minors, repealed	Act 40, 1858.
When Court may appoint administrator; security to be given by him	(Agra, Aj., Ben., C.P., E.B.& A.) Ben. Reg. 5, 1799, ss. 5, 6.
Management of estate through Collector of district, when action taken under Ben. Reg. 5, 1799, ss. 5, 6	(Agra, Aj., Ben., C.P., E.B.& A.) Ben. Reg. 5, 1827.
"Local Government" substituted for "Board of Revenue" in Ben. Reg. 5, 1827, s. 3	(Aj.) Reg. 3, 1877, s. 3, Sch. II. (C.P. and Sambalpur) Act 20, 1875, s. 3, Sch. (col. 4 of Sch. rep. as to Sambalpur, Act 7, 1905).
District Judge to interfere for protection of property of intestate when there is no claimant	[Agra, Ben. (except Sambalpur), E.B.&A.] Ben. Reg. 5, 1799, s. 7.
"Local Government" substituted for "Governor General in Council" in Ben. Reg. 5, 1799, s. 7	(Agra) Act 19, 1886, s. 2, Sch.
Ben. Reg. 5, 1799, not to affect jurisdiction of Court of Wards	[Agra, Ben. (except Sambalpur), E.B.&A.] Ben. Reg. 5, 1799, s. 8.
Transfer to Subordinate Judge or Munsif of proceedings under Ben. Reg. 5, 1799, Act 10, 1865, or Act 5, 1881	[Agra, Ben. (except Sambalpur), E.B.&A.], Act 12, 1887, s. 23.
Validation of grants of probate or administration made in Lower Burma	Act 5, 1881, s. 155.

(*b*) BOMBAY PRESIDENCY.

Heirs, executors or legal administrators may assume management of estate, without applying to Court	Bom. Reg. 8, 1827, s. 1.
Procedure where heir, etc., applies for recognition by Court; grant of certificate by Court	" ss. 2(*1*), 3 to 5, App. A, B.
Powers and liabilities of heir, etc., holding certificate	" s. 7

ADMINISTRATION OF ESTATES (INDIAN LAW)—*contd.*

6. Special and Local—*contd.*

(*b*) Bombay Presidency—*contd.*

Right to institute suit if certificate refused	Bom.Reg.8,1827,s.8.
District Judge to interfere for protection of property where no claimant, etc.; appointment of administrator and security to be given by him	,, ss.9to11. App.C.
Act 5, 1881, s. 98; and certain sections of Act 7, 1889, to apply to certificates granted under Bom. Reg. 8, 1827	Act7,1889,s.28.
Grant of probate or administration under Act 5, 1881, supersedes certificate granted under Bom. Reg. 8, 1827	Act5,1881,s.152.

(*c*) Madras Presidency.

Executors of Muhammadans, etc., to take charge of estate without interference by Courts	Mad.Reg.3,1802,s.16(*2*).
Mad. Reg. 3, 1802, s. 16 (*2*), repealed, so far as it applied to Hindus	Mad.Reg.5,1829,s.2.
Heirs of Hindus, Muhammadans, etc., not bound to apply to Court for permission to take possession of estate	Mad.Reg.3,1802,s.16(*3*). Mad.Reg.5,1829,s.3.
Reference to Court when succession disputed between several claimants	Mad.Reg.3,1802,s.16(*4*). Mad.Reg.5,1829,s.3.
When Court may appoint administrator; administration when to cease; security to be given by administrator	Mad.Reg.3,1802,s.16(*5*), (*6*). Mad.Reg.5,1829,s.3.
District Judge to interfere for protection of property when there is no claimant	Mad.Reg.3,1802,s.16(*7*). Mad.Reg.5,1829,s.3.

(*d*) Cases governed by English law.

Acts 27 and 28, 1866, apply only to cases to which English law is applicable	Act27,1866,s.3. Act28,1866,s.45.
Power of High Court to make order for disposal of stock, etc., held by executor or administrator who—	
is of unsound mind	Act27,1866,ss.7,20.
is out of jurisdiction or cannot be found, etc.	,, s.24.
Effect of such order	Act27,1866,ss.25to29.
Power of High Court to direct how right to transfer stock, etc., vested under Act shall be exercised	,, s.34.
Power of High Court to make order as to costs under Act	,, s.43.
Stamp-duty on orders made under Act	,, s.48.
Power of High Court to postpone making order under Act until petitioner's right declared in suit	,, s.51.
Indemnity to persons obeying orders made under Act	,, s.52.
Order under Act to have force of decree	,, s.53.
Power of executor to raise money by sale, notwithstanding want of express power in will	Act28,1866,ss.25to28.
Power of executor to compound, etc.	,, s.38.
Power of executor or administrator to distribute residue of estate—	
after making payments due in respect of lease or other conveyance and setting apart fund to answer future claims	,, ss.40,41.
after expiry of time notified by him for receipt of claims	,, s.42.

ADMINISTRATION OF ESTATES (INDIAN LAW)—*concld.*

6. Special and Local—*concld.*

(*d*) CASES GOVERNED BY ENGLISH LAW—contd.

Right of executor or administrator to apply to High Court for advice . . . . . Act28,1866,s.43.

(*e*) POWERS OF POLICE IN PRESIDENCY-TOWNS.

Delivery by police in Presidency-towns to person entitled, of moveable property of intestate worth less than Rs. 200. *See* POLICE, I.

Above provisions not affected by Administrator General's Act . Act2,1874,s.66. Bom.Act4,1902,s.50.

ADMINISTRATOR GENERAL'S ACT 1874 1881 — *See* ADMINISTRATION OF ESTATES (INDIAN LAW; ADMINISTRATOR GENERAL; OFFICIAL TRUSTEE; UNCLAIMED ASSETS . . . Act2,1874. Act9,1881.

ADMINISTRATOR GENERAL.

1864. Act 17, s. 6 (Official Trustee).
1870. Act 21, s. 5 (Wills of Hindus).
1872. Act 5, s. 2 } (Jurisdiction in Sindh).
,, Act 20 }
,, Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Act 2 (Administrator General).
,, Reg. 9, s. 3 (Laws, Arakan Hills).
1879. Act 3, ss. 3, 5 (Destruction of Records).
1881. Act 5, s. 149 (Probate and Administration).
,, Act 9 (Administrator General).
1882. Act 2, s. 50 (Trusts).
,, Act 6, s. 144 (Companies).
1890. Act 2 (Administrator General).
,, Reg. 1, s. 3 (Laws, British Baluchistan).
1893. 56-7 V. c. 5, ss. 14, 19, 23 (Regimental Debts).
1894. Reg. 1, s. 3 (Laws, Angul).
1898. Act 13, s. 4 (Laws, Burma).
1899. Act 2, s. 3, Sch. 1, art. 62 (*d*) (Stamps).
1902. Act 5 (Administrator General and Official Trustee).
,, Bom. Act 4, s. 50 (Police, Bom. City).
1908. Act 16, s. 88 (Registration).
1909. Act 3, s. 111 (Insolvency, Presidency-towns and Rangoon).

1. Preliminary.
2. The Office of Administrator General.
3. Rights, Powers and Duties.
4. Commission of Administrator General.
5. Accounts and Schedules.
6. Miscellaneous.

1. Preliminary.

Act 2, 1874, extends to whole of British India and, as regards British subjects, to Native States . . . . Act2,1874,s.1.

declared in force in—

Upper Burma (except the Shan States) . . Act13,1898,s.4.
the Santhál Parganas . . . . . Reg.3,1872,s.3.Sch.
the Arakan Hill District . . . . . Reg.9,1874,s.3.
British Baluchistan . . . . . Reg.1,1890,s.3.
Angul District . . . . . Reg.1,1894,s.3.

not to apply to cases of intestate property dealt with by Commissioner of Police in Bombay City } Bom.Act4,1902,s.50.

2. The Office of Administrator General.

Administrator General to be appointed for each of the Presidencies of Bengal, Madras and Bombay . . . . . Act2,1874,s.4.

ADMINISTRATOR GENERAL—*contd.*

2. The Office of Administrator General—*contd.*

Definitions of "Presidency of Bengal," "Presidency of Madras" and "Presidency of Bombay"	Act2,1874,s.3.
Power to divide Presidency of Bengal into provinces and appoint an Administrator General for each; consequences to ensue thereupon	,, s.68.
Saving of Administrator General's jurisdiction in Sindh	Act5,1872,s.2.
Administrator General; Government to appoint, suspend or remove	Act2,1874,s.5.
,, ,, to be a barrister; exception	,, s.6. Act5,1902,s.2(2).
,, ,, not an officer of High Court	Act2,1874,s.7.
,, ,, may hold office of Official Trustee	Act17,1864,s.6. Act2,1874,s.9.
,, ,, not to hold other office without sanction of Government	,, s.9.
,, ,, restriction on trading by	,, s.10.
,, ,, security to be given by, to Government.	,, s.11.
,, ,, no security or oath to be given by, to Court	,, s.12.
,, ,, remuneration of, by fixed salary	Act5,1902,s.3(1).
,, ,, liability of, or of Government for acts of	,, s.3(2),(3).
Appointment of Officiating Administrator General; his position	Act2,1874,s.13.
Appointment of Deputy Administrator General; powers and functions of; may be a barrister, attorney or solicitor; may officiate as Administrator General	Act5,1902,s.2.
Rights, duties and privileges of Administrator General not affected by—	
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Hindu Wills Act, 1870	Act21,1870,s.5.
Probate and Administration Act, 1881	Act5,1881,s.149.
Companies Act, 1882	Act2,1874,s.66. Act6,1882,s.144(g).
Presidency-towns Insolvency Act, 1909.	Act3,1909,s.111.

3. Rights, Powers and Duties.

(a) GRANT OF LETTERS OF ADMINISTRATION AND PROBATE TO ADMINISTRATOR GENERAL.

Letters of Administration or Probate to be granted by High Court at Presidency-town	Act2,1874,s.14.
Administrator General entitled to Letters of Administration, or letters *ad colligenda bona*, in preference to certain other persons	,, s.15.
Letters of Administration and Probate to be granted *ex officio*	,, ss.29,30.
Administrator General may apply for Letters of Administration within one month from death	,, s.23.
Effect and local extent of Probate or Letters of Administration	,, s.23A.
Estates which Administrator General is bound to administer; temporary administration pending determination of right	,, ss.16to18, 19,20.
Administration of estates of military men	,, ss.21,22,65. 56-7V.c.5,ss.14,19,26.
Grant to consular officer of Letters of Administration to estate of deceased foreigner	Act5,1902,s.8.

ADMINISTRATOR GENERAL—*contd.*

3. Rights, Powers and Duties—*contd.*

(*a*) GRANT OF LETTERS OF ADMINISTRATION AND PROBATE TO ADMINISTRATOR GENERAL—*contd.*

Revocation of Letters of Administration : Letters deemed to have been voidable, not void ; validation of payments made and acts done by Administrator General ; payment of Administrator General's costs and commission	Act2,1874,ss.24to27.
Distribution of assets	,, s.28.
Power of Administrator General to incur expenditure for certain purposes	Act5,1902,s.7.
Power of High Court to give general or special direction to Administrator General in respect of administration	,, s.5.
Transfer by private executor or administrator to Administrator General of interest under Probate or Letters of Administration ; stamp-duty	Act2,1874,s.31. Act2,1899,s.3,Sch.1, art.62(*d*).
Appointment of Official Trustee as trustee of assets carried to separate accounts	Act2,1874,s.32.
Vesting of estates, etc., in successor of Administrator General	,, s.33.

(*b*) ADMINISTRATION OF ASSETS NOT EXCEEDING R1,000 IN VALUE.

Administrator General may grant certificate of administration or may administer without obtaining Letters of Administration	,, ss.36,37.
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When Administrator General may take out Letters of Administration after granting certificate	,, s.40.
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(*c*) SUITS BY AND AGAINST ADMINISTRATOR GENERAL.

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4. Commission of Administrator General.

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,, in case of temporary administration pending determination of right	Act2,1874,s.18.
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Payment of, when Letters of Administration granted to Administrator General are revoked	Act2,1874,s 27.

ADMINISTRATOR GENERAL—*concld.*

4. Commission of Administrator General—*contd.*

Prohibition in Trusts Act, 1882, against trustee charging for services does not apply to Administrator General . . . Act2,1882,s.50..

Commission or agency charges not to be charged by private executor or administrator at higher rate than that fixed for Administrator General . . . . . Act5,1902,s.4(3)..

Expenses of Administrator General's establishment and office charges to be defrayed by him . . . . . Act2,1874,s.42..

5. Accounts and Schedules.

Separate accounts to be kept for each estate, and to be open to inspection . . . . . ,, s.43..

Administrator General to furnish and publish half-yearly schedules and send copies to Government for transmission to Secretary of State; settlement and payment of costs . . . ,, ss.44,48..

Power of Government to require additional accounts to be kept . ,, s.57..

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6. Miscellaneous.

Punishment for making false statement in petition presented by Administrator General to Court . . . . ,, s.12..

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Power of Government to make rules for guidance of Administrator General . . . . . ,, ss.57to59.

Administrator General to comply with requisitions by Government for returns and statements . . . . . ,, s. 67..

Power of High Court to make rules for assigning jurisdiction under Act 2, 1874, to subordinate courts . . . . . Act5,1902,s.6..

Power of High Court to make rules for destruction, etc., of Administrator General's records; confirmation of rules by Government . . . . . Act 3,1879,ss.3,5..

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ADMINISTRATOR GENERAL AND OFFICIAL TRUSTEES ACT, 1902. [*See* ADMINISTRATION OF ESTATES (IND. LAW); ADMINISTRATOR GENERAL; OFFICIAL TRUSTEE] . . . Act5,1902..

ADMIRALTY COURTS. *See* COLONIAL COURT OF ADMIRALTY AND VICE-ADMIRALTY COURT.

ADMIRALTY JURISDICTION (INDIA) ACT, 1860.[1] [*See* CRIMINAL LAW AND PROCEDURE (ENGLISH); SEA] . . . 23-4V.c.88.

ADMIRALTY OFFENCES (COLONIAL) ACT, 1849.[1] [*See* CRIMINAL LAW AND PROCEDURE (ENG.) SEA] . . 12-3V.c.96.

" " " " 1860.[1] [*See* CRIMINAL LAW AND PROCEDURE (ENG.) SEA] . . 23-4V.c.122.

ADULTERATION. *See* CRIMINAL LAW (IND.), 12; DRUGS; FOOD AND DRINKS.

ADULTERY. *See* CRIMINAL LAW (IND.), 20.

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ADVOCATE GENERAL.

Appointment of, by Crown . . . . . 21-2V.c.106,s.29.

General powers of . . . . . 53G.3,c.155,s.111.

Information exhibited by, in exercise of power declared by 53 G. 3, c. 155, s. 111, not limited or affected by Code of Civil Procedure, 1908, s. 79 . . . . . Act5,1908,s.79(2).

Right of, to conduct prosecution . . . . . Act5,1898,s,495.

Power of, to stay prosecution, etc. *See* CRIMINAL PROCEDURE (INDIAN), 8 (6).

Suits by, relating to public nuisances and public charities . . Act5,1908,ss.91,92.

Powers of, not affected by Charitable Endowments Act . . Act6,1890,s.15.

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Interpretation of term, as including affirmation and declaration, etc. . . . . [2]52-3V.c.10,s.11.
[2] " c,63,s.3.

Commissioners for oaths; appointment and powers of . . " c.10,s.1.
[2]54-5V.c.50,s.1.

Power of certain officers of Court to administer oaths and take affidavits . . . . . 52-3V.c.10,s.2.

Taking of oaths and affidavits out of England . . . . " s.3.

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Penalties on perjury, forgery of seal or signature, etc.; trial of offences . . . . . " ss.7to9.

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Indian law as to. *See* OATH AND AFFIRMATION.

AFFIRMATION. *See* OATH AND AFFIRMATION.

AGENCY.

Act 9, 1872 (the Indian Contract Act, 1872)—
extends to the whole of British India . . . . . Act9,1872,s.1.

[1] This short title was given by 59 & 60 Vict., c. 14.
[2] Collective short title (Commissioners for Oaths Acts, 1889 to 1907) given by 7 Edw. 7, c. 25, s. 2.

AGENCY—*contd.*

Act 9, 1872, (the Indian Contract Act, 1872)—*contd.*
declared in force in—
the Santhál Parganas . . . . . Reg.3,1872,s.3.
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Upper Burma generally (except Shan States) . . . Act13,1898,s.4,Sch.1.
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Who may employ agent . . . . . ,, s.183.
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May be express or implied . . . . . ,, ss.186,187.
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Definition of . . . . . ,, s.191.
When agent cannot delegate . . . . . ,, s.190.
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AGRA TENANCY ACT, 1901. (*See* COURT-FEES, 3; LANDLORD AND TENANT, IX; LAND-REVENUE, XVI) . . . . U.P.Act2,1901.

AGRA VILLAGE AND ROAD POLICE ACT, 1873. [*See* CRIMINAL PROCEDURE (IND.); POLICE, III] . . . . Act16,1873.

AGRICULTURISTS' LOANS ACT, 1884. [*See* LOAN (INDIAN LAW), B, 3] . . . . . Act12,1884.

AGRICULTURISTS' RELIEF ACT (DEKKHAN). *See* DEKKHAN AGRICULTURISTS' RELIEF ACT.

AGROR VALLEY REGULATION, 1891. (*See* AGROR VALLEY; VILLAGE; WASTE-LAND) . . . . . Reg.4,1891.

AGROR VALLEY.

Estate of Khan of Agror to be deemed to have been attached under Ben. Reg. 3, 1818, s. 9, on 1st August, 1888	Reg.4,1891,s.3.
Rights of Khan under record-of-rights of 1870 forfeited to Government	,, s.4.
Local Government to appoint officer to deal with such rights	,, s.5.
Such officer to determine how far such rights shall be retained by Government, restored to Khan or transferred to other persons; revision of his orders	,, ss.6, 7.
Classification of waste-lands in, and record-of-rights therein	,, s.8.
Appointment and remuneration of headmen in	,, s.9.
Succession of Khanship to be determined by Local Government	,, s.10.
Exclusion of jurisdiction of Courts and Revenue-officers under Regulation	,, s.11.

AHMADNAGAR DISTRICT. *See* DEKKHAN, ETC., 1.

AHMEDABAD TALUQDARS. (*See* INCUMBERED ESTATES, II) . Bom.Act6,1862.

AJMERE.

1. Status and Laws.

Ajmere is a Scheduled District	Act14,1874,s.1,Sch.I,Pt. IX. Act15,1874,s.2,Sch.VI, Pt.IX.
Certain Bengal Regulations declared in force (with modifications), to the exclusion of others	Reg.3,1877,ss.2(*a*),3,Sch. II.
Certain enactments and rules repealed	,, s.2(*b*),(*c*),(*d*), Sch.I.
Law to be administered	,, ss.4,5.

2. Pre-emption.

Definition	,, s.6.
Presumption as to, and proof of, existence of right of	,, ss.7,8.
Exercise of right	,, ss.9to12.
Suit to enforce right	,, ss.13to15.

3. Criminal Law and Police.

Indian Penal Code applied to offences committed before 1st January, 1862	Reg.3,1877,s.29.
Tracking offenders	,, ss.16to22.
Responsibility of landholders, farmers and villagers for prevention of crime and apprehension of offenders	,, ss.23,24.
Liability of villagers to make good loss sustained by robbery, etc.	,, s.25.
Registration of new cattle brought to village	,, s.26.
Recovery of money paid under award of Rajputana Court of Vakils on account of fine, blood-money, etc.	,, s.27.
,, ,, fines	,, s.28.
Power of police to apprehend members of armed band	,, s.30.
,, to invest istimrardar, etc., with police powers	,, s.31.

4. Miscellaneous.

Restriction of claims under Muhammadan contracts of dower	,, s.32.
Limitation on amount of interest which may be decreed	,, s.33.

AJMERE—*contd.*

4. Miscellaneous—*contd.*

Power to restrict slaughter of animals and sale of meat . . . Reg.3,1877,s.34..
Maintenance of prohibition of sale of flesh, shooting or killing of animals in religious place . . . . . „ s.35.
Recovery of revenue other than land-revenue . . . . „ s.38..
Power to make rules for—
watch and ward and conservancy and sanitation at fairs and assemblies and taxes for those purposes . . . . .
custody of judicial records, and . . . . . „ s.40..
appointment, etc., of ministerial officers . . . .
Rules; penalty for breach of; sanctioning and publication of . „ ss.41,42..

For further provisions enacted specially for Ajmere, see the appropriate heads.

AJMERE AMENDING REGULATION, 1893 . . . . Reg.9,1893..
AJMERE COURTS REGULATION, 1877. (*See* CIVIL COURTS, II; CIVIL PROCEDURE, 12; CRIMINAL PROCEDURE (IND.) 13; DISTRICT; LANDLORD AND TENANT, I; LEGAL PRACTITIONER; TALUQDARS, ETC.) . . . . . Reg.1,1877..
AJMERE COURTS (AMENDMENT) REGULATION, 1907 . Reg.7,1907.. 1910 . Reg.1,1910..
AJMERE FOREST REGULATION, 1874. (*See* FOREST) . Reg.6,1874..
AJMERE GOVERNMENT WARDS REGULATION, 1888. (*See* COURT OF WARDS, A.) . . . . . Reg.1,1888..
AJMERE IRRIGATION REGULATION, 1887. (*See* IRRIGATION, I) . . . . . Reg.8,1887..
AJMERE LAND AND REVENUE REGULATION, 1877. (*See* BOUNDARIES; IRRIGATION, I; ISTIMRARDAR, AJMERE; LAND (IND. LAW); LANDLORD AND TENANT, I; LAND-REVENUE, II; LEGAL PRACTITIONER; MINES AND MINERALS; PARTITION AND UNION, ETC.; SHIFTING CULTIVATION) . Reg.2,1877..
AJMERE LAND AND REVENUE (AMENDMENT) REGULATION, 1907 . . . . . Reg.5,1907
AJMERE LAWS REGULATION, 1877. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES, 1; ADMINISTRATION OF ESTATES (IND. LAW); AJMERE; CRIMINAL LAW (IND.), 25; DOWER; ENDOWMENT; ESCHEAT; FOREIGNER; INTEREST; MARCHING TROOPS; STATE OFFENCES; STATE PRISONERS; TRAVELLER) . . . . . Reg.3,1877..
AJMERE MUNICIPALITIES REGULATION, 1886. (*See* CANTONMENT; DOG; LOCAL SELF-GOVERNMENT, II; MUNICIPALITY, II; POLICE, II, A) . . . . . Reg.5,1886..
AJMERE MUNICIPALITIES (AMENDMENT) REGULATION, 1905 . . . . . Reg.1,1905..
AJMERE RURAL BOARDS REGULATION, 1886. (*See* CANTONMENT; LOCAL SELF-GOVERNMENT, II; MUNICIPALITY, II) . . . . . Reg.6,1886..
AJMERE TALUQDARS RELIEF REGULATION, 1872. (*See* INCUMBERED ESTATES, I) . . . . . Reg.4,1872..
AJMERE VILLAGE SANITATION REGULATION, 1895. (*See* VILLAGE) . . . . . Reg.4,1895.

AJMERE AND MERWARA PRIVATE FORESTS' PRESERVATION REGULATION, 1892. (*See* FOREST) . . . Reg.1,1892.

ALBAKA.

Taluqa of; laws to be in force in, on transfer to Madras Presidency; pending proceedings; levy of certain cesses in . . Reg.1,1909,ss.2to5.

ALIEN.

1700-1. 12-3 W. 3, c. 2, s. 3 (Holding Offices of State).

1852. Act 30 (Naturalization).

1870. [1] [2] 33-4 V. c. 14 (Naturalization).

,, [1] 33-4 V. c. 102 (Oath of Allegiance).

1872. [2] 35-6 V. c. 39 (Naturalization).

1874. Act 15, s. 3 (Laws Local Extent).

,, Reg. 9, s. 3 (Laws, Arakan Hill District).

1894. 57-8 V. c. 60, s. 1 (Disqualification to own British ship).

1895. 58-9 V. c. 43 (Naturalization).

1898. Act 13, s. 4, Sch. 1 (Laws, Burma).

1. Status.

2. Naturalization, and Declaration of Alienage.

See also BRITISH SUBJECT; FOREIGNER.

1. Status.

Capacity as to acquisition and disposition of property . . 33-4V.c.14,s.2.

National status of married women and children . . ,, s.10. 58-9V.c.43.

Rights of married women to property previous to passing of Act of 1870 not affected thereby . . . . . 35-6V.c.39,s.3.

Disqualification from holding offices of State . . . . 12-3W.3,c.2,s.3. 33-4V.c.14,s.2.

,, to own British ship . . . . . ,, s.14. 57-8V.c.60,s.1.

Alien not entitled to jury *de medietate linguæ* . . . . 33-4V.c.14,s.5.

Domicile; retention of, for purpose of succession as to moveables. *See* DOMICILE.

Enlistment in army. *See* ARMY, 3.

Goods of deceased; grant of custody or administration of, to consul. *See* ADMINISTRATION OF ESTATES (ENGLISH LAW); ADMINISTRATOR GENERAL, 3.

Procedure in suit by alien. *See* CIVIL PROCEDURE, 4.

Power to restrict immigration of, in Aden. *See* ADEN, 3, 4.

2. Naturalization, and Declaration of Alienage.

(*a*) NATURALIZATION.

Certificate of, and rights of person obtaining certificate . . 33-4V.c.14,s.7.

,, re-admission of statutory alien to British nationality . . . . . ,, s.8.

Effect of naturalization of parent on status of children . . ,, s.10. 58-9V.c.43.

Oath of allegiance; taking of, by person naturalized; form of, and regulations as to . . . . . 33-4V.c.14,ss.7,9. ,, c.102,s.1. Act30,1852,ss.10,11,13, Sch.

Saving of power of Crown to grant letters of denization . . 33-4V.c.14,s.13.

Power of British Possessions to legislate as to naturalization . . ,, s.16.

Issue of certificate of naturalization by Local Government . Act30,1852,ss.1to5,7,8.

[1] Collective title ("Naturalization Acts, 1870") given by 33 & 34 Vict., c. 102.
[2] Collective title ("Naturalization Acts, 1870 and 1872") given by 35 & 36 Vict., c. 39.

ALIEN

2. Naturalization, and Declaration of Alienage—*contd.*

(*b*) DECLARATION OF ALIENAGE.

Power of naturalized subject of foreign State to make declaration of alienage . . . . . 33-4V.c.14,s.3..
Confirmation of declaration under convention with United States 35-6V.c.39,s.2,Sch.
Declaration of alienage by British subject. *See* BRITISH SUBJECT, 2 (*a*).

(*c*) SUPPLEMENTAL.

Power of Secretary of State to make regulations as to—
certificates and declarations, and as to fees . . . . 33-4V.c.14,s.11..
administration, etc.; of oath of allegiance, and fees . . „ c.102,s.1..
Evidence of declarations, certificates and regulations . . „ c.14,s.12.
Penalty for false declaration . . . . . „ c.102,s.2..
.. Act30,1852,s.6.
Act 30, 1852, declared in force—
throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3..
in the Arakan Hill District . . . . . Reg.9,1874,s.3.
in Upper Burma generally (except Shan States) . . . Act13,1898,s.4,Sch.1.
ALLAHABAD UNIVERSITY ACT, 1887. (*See* UNIVERSITY) . Act18,1887..
ALLUVION AND DILUVION REGULATION (BENGAL), 1825 [1] . . . . . Ben.Reg.11,1825.
ALLUVION AND DILUVION.
Ben. Reg. 11, 1825 [2], declared in force—
throughout Agra, Bengal (except Sambalpur District), Eastern Bengal, except as regards the Scheduled Districts . . Act15,1874,ss.6,7..
in the Santhál Parganas . . . . . Reg.3,1872,s.3..
in the Punjab . . . . . Act4,1872,s.3.
in the North-West Frontier Province . . . . . Reg.7,1901,s.4..
in the Central Provinces and Sambalpur District . . . Act20,1875,s.3..
in Oudh (with modifications) . . . . . Act18,1876,s.3..
Act 9, 1847, declared in force—
throughout Bengal (except Sambalpur District), Eastern Bengal, except as regards the Scheduled Districts . . Act15,1874,s.6..
in the Santhál Parganas . . . . . Reg.3,1872,s.3.
Ben. Act 4, 1868, declared in force in the Santhál Parganas . .
Short title given to Ben. Reg. 11, 1825 . . . . . Act5,1897,s.4.
Claims to alluvial land—
to be decided by local usage, when clearly established . . Ben.Reg.11,1825,s.2[am.in P.&N.-W.F.,P.Act 1,1899, s.4(*1*)].
how to be decided in absence of such usage, in case—
of lands gained by gradual accession . . . . . Ben.Reg.11,1825,ss.3,4(*1*) [s.3am.inP.&N.-W.F., P.Act,1,1899,s.4(*2*)].

[1] This short title was given by Act 5, 1897, s. 4.
[2] Ben. Re . 11, 1825, has also been declared in force in Assam (except the North Lushai Hills) by notification, under the Scheduled Districts Act, 1874.

ALLUVION AND DILUVION—*contd.*

Claims to alluvial land—*contd.*

how to be decided in absence of such usage—*contd.*

of river suddenly changing its course and intersecting estate . . . Ben.Reg.11,1825,ss.3,4(2) [s.3am.inP.&N.-W.F., P.Act1,1899,s.4(2)].

of chars thrown up in navigable river or sea . . . Ben.Reg.11,1825,ss.3,4(3) [s.3am.inP.&N.-W.F., P.Act1,1899,s.4(2)]. (Ben.,exceptSambalpur &E.B.Ben).Act4, 1868,ss.2to8.

" " in small shallow river . . . Ben.Reg.11,1825,ss.3,4(4) [s.3am.inP.&N.-W.F., P.Act1,1899,s.4(2)].

not specially provided for . . . Ben.Reg.11,1825,ss.3,4(5) *[s.3am.inP.&N.-W.F., P.Act1,1899,s.4(2)].

allowance of, not to bar assessment to revenue or rent . . Ben.Reg.11,1825,s.4(1).

Ben. Reg. 11, 1825, not to authorise encroachments on bed or channel of navigable river or to prevent removal by Government of obstructions to navigation . . . " s.5(am.inO., Act18,1876, Sch.II).

Char or island in navigable river becoming joined to mainland; right of owner of mainland to have way to river across; cost of construction of way; way to be public thoroughfare . . (Ben.,exceptSambalpur District,&E.B.)Ben.Act 4,1868,ss.5to8.

Power to direct new survey of riparian lands . . . . Act9,1847,ss.3,4.

Power to permanently fix boundary between estates subject to river action; payment of compensation in certain cases . (P.&N.-W.F.)Act17, 1887,ss. 101A to 101F.

Assessment, and alteration of assessment, on account of:

See LAND-REVENUE, III, 3 (*b*); V, A, 3 (*b*); VII, A, 3 (*a*); XVI, 3.

AMENDING ACT,
- 1891 . . . . . Act12,1891.
- 1894 . . . . . Act4,1894.
- 1895 . . . . . Act16,1895.
- 1897. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES; CIVIL COURTS, III; GOVERNMENT OF INDIA; PUBLIC OFFICER) Act5,1897.
- 1901. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES) . . . . . Act11,1901.

AMENDING (ARMY) ACT,
- 1894 . . . . . Act13,1894.
- 1909 . . . . . Act5,1909.

AMERICANS.

Criminal proceedings against. *See* EUROPEANS AND AMERICANS.

AMINS. *See* CIVIL COURTS, III, 3.

AMMUNITION. *See* ARMS, AMMUNITION AND MILITARY STORES.

ANCIENT MONUMENTS . . . . . Act 7, 1904.

Acquisition of rights in or guardianship of . . . . " s.4.

Preservation of, by agreement; agreement with persons under disability; enforcement of agreement . . . . " ss.5-7.

Purchasers at revenue, rent and other sales bound by agreement . . . . . " s.8.

Enforcement of agreement, in case of endowment . . . " s.9.

Protected monuments . . . . . " s.3.

maintenance of, by Government . . . . . "ss.11,12.

right of access by public to monuments maintained by Government . . . . . " s.15.

ANCIENT MONUMENTS—*contd.*

Place of worship, maintained by Government; protection of, against misuse, etc.	Act7,1904,s.13.
Relinquishment of right by Government	,, s.14.
Power to control excavation for the protection of ancient monuments	s.20.
Sculptures, carvings, etc.; power to control removal of	,, s.18.
Compulsory purchase of ancient monuments, sculptures, etc.	,, s.10,19.
Application of Act 1, 1894	,, s.21.
Penalties and jurisdiction	,, ss.16,22.
Antiquities; power to control traffic in	,, s.17.
Protection of public servants acting under Act 7, 1904	,, s.24.
Rules	,, s.23.
ANAND MARRIAGE ACT, 1909. (*See* MARRIAGE, II, C)	Act7,1909.
ANCIENT MONUMENTS PRESERVATION ACT, 1904. (*See* ANCIENT MONUMENTS; LAND-REVENUE, I; PUBLIC DEMANDS)	Act7,1904.
ANDAMAN AND NICOBAR ISLANDS REGULATION 1876. [*See* ANDAMAN AND NICOBAR ISLANDS; ARMS, AMMUNITION, ETC.; CRIMINAL PROCEDURE (IND.), 13; FOREST; MARRIAGE, II, G]	Reg.3,1876.
1884	Reg.1,1884.
1908	Reg.4,1908.

ANDAMAN AND NICOBAR ISLANDS.

1. Preliminary.

Are a Scheduled District	Act14,1874,s.1,Sch.I,Pt. VIII(am.Act8,1883). Act15,1874,s.2,Sch.VI,Pt. VIII(am.Act8,1883).
To what islands Reg. 3, 1876, extends	Reg.3,1876,s.1(pt.rep. Reg.1,1884).
Power to define limits of settlement	,, s.30.
Definitions	,, s.3.

2. Land.

All land vested in Crown	,, s.4.
Grant, etc., of licenses—	
to occupy land	,, ss.5to9.
to take produce of land	,, ss.10,32,34.
Recovery of Government dues	,, s.11.
Delegation of powers as to land	,, s.12.

3. Administration of Justice.

Modifications in Code of Criminal Procedure	,, s.13(am.Reg. 1884,s.3).
,, Code of Civil Procedure	,, s.14(am.Reg.1, 1884,s.4;Reg. 4,1908,s.2).

4. Arrival and Departure of Vessels.

Restrictions on landing of passengers or goods	Reg.3,1876,ss.15,16(am. Reg.1,1884,s.5), 17,17A(ins. Reg.1,1884,s.6), 19,20.

ANDAMAN AND NICOBAR ISLANDS—*contd.*

4. Arrival and Departure of Vessels—*contd.*

Delivery of list of crew and passengers	Reg.3,1876,	ss.18,21.
Inspection of vessels	„	s.22.
Provisions for preventing escape of convicts	„	ss.23,24.
Search of vessels and seizure of opium, ganja and other hurtful or intoxicating drugs	„	s.25.

5. Miscellaneous.

License required by persons residing at settlement	„	ss.26,27.
Marriage of convicts	„	s.28.
Obligation to give information of convict's escape	„	s.29.
License required for dealings in liquor, intoxicating drugs, arms, weapons, dangerous cutting instruments, explosives or inflammable substances	„	ss.31,32,34.
Penalties and forfeiture	„	ss.32to34.
Recovery of fines	„	s.35(am.Reg.1, 1884,s.7).
Power to make rules	„	s.33.

For further provisions enacted specially for the Anadman and Nicobar Islands, see the appropriate heads.

ANDAMAN AND NICOBAR ISLANDS MILITARY POLICE REGULATION, 1888. (*See* POLICE, IV) . . . . Reg.2,1888.

ANGUL DISTRICT REGULATION, 1894. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES, 1; ADMINISTRATION OF ESTATES (IND. LAW); ADMINISTRATOR GENERAL; ANGUL DISTRICT; ANIMAL, B; COURT; COURT-FEES; CRIMINAL LAW (IND.), 25; DEREGULATIONISED TRACTS; DISTURBED DISTRICT; EUROPEAN BRITISH SUBJECT; EVIDENCE, II; EXCISE; FOREIGNER; GUARDIAN AND WARD; HINDU WIDOW; INDIAN MILITARY AND NAVAL FORCES; INTEREST; LAND (IND. LAW); LAND-REVENUE, I, III; LEGAL PRACTITIONER; LUNATIC; MARCHING TROOPS; MARRIAGE, II; MARTIMONIAL CAUSES; OATH AND AFFIRMATION; OPIUM; POLICE, I; PUBLIC OFFICER; SCHEDULED DISTRICTS; STATE OFFENCES; STATE PRISONER; SURVEY OF LAND; TORTS; TRAVELLER; TREASURE TROVE; VAGRANT; WATER) . . . . Reg.1,1894.

ANGUL DISTRICT (AMENDMENT) REGULATION, 1904 . Reg.4,1904.

ANGUL DISTRICT (ORISSA).

Preliminary.

Constitution of District	Reg.1,1894,	s.2.
Definitions	„	s.10.

2. Status and Laws.

Angul and the Khondmals are a Scheduled District	Act14,1874,s.1,Sch.I, Pt.V;s.4.Reg.1,1894. Act15,1874.s.2,Sch.VI,Pt. III.	
What enactments to be in force in Angul and Khondmals	Reg.1,1894,s.3,Sch.	
Power of Local Government to—		
withdraw enactments from Angul and Khondmals	„	s.4.
extend enactments to Angul and Khondmals	„	s.5
Power to construe enactments with necessary alterations	„	s.6.

ANGUL DISTRICT (ORISSA)—*contd.*

3. Courts.

Constitution of	Reg. 1, 1894,	ss. 11, 12, 16.
Control over	,,	ss. 11, 13, 29, 35.
Jurisdiction and powers of	,,	ss. 12, 14, 17.

4. Administration of Justice.

Criminal Justice:		
Modifications in Code of Criminal Procedure	,,	ss. 16 to 29.
Such modifications not to affect the Code in its application to European British subjects	,,	s. 30.
Civil Justice:		
Law to be administered	,,	s. 31.
Interest	,,	s. 32.
Appeals	,,	s. 34.
Revision	,,	s. 35.

5. Recovery of Public Demands.

Certificate and notice of arrear	,,	ss. 36, 37.
Mode of realization	,,	ss. 38, 39.
Revision of proceedings by Deputy Commissioner and Superintendent	,,	s. 40.
Register of proceedings	,,	s. 41.
Rent due to sarbaraker may be recovered as public demand	,,	s. 41 A.

6. Village Chaukidars.

Constitution of villages	,,	s. 43.
Appointment and dismissal of	,,	ss. 42, 44.
Duties of	,,	s. 47.
Punishment of; appeal and revision	,,	ss. 45, 46, 49.
Procedure on arrest by	,,	s. 48.

7. Registration of Documents.

Appointment, etc., of Sub-Registrars and Registrar	,,	ss. 50, 51.
Any document may be registered	,,	s. 52.
Power of Local Government—		
to direct compulsory registration	,,	s. 52.
to cancel or vary notification under s. 52	,,	s. 53.
to make rules	,,	s. 54.
Application of Act 3, 1877 (Registration), ss. 81, 82 (offences)	,,	s. 54(*4*).

8. Miscellaneous.

Restrictions on transfer of tenancy or ejectment of tenant	,,	ss. 54 A, 54 B.
Power to define, etc., powers of officers	,,	s. 14.
Government presumed entitled to exclusive use and control of certain water	,,	s. 33.
Power of Deputy Commissioner to require landholders, etc., to furnish information, etc., and to supply provisions and labour for marching troops and officials; appeal	,,	s. 55.

ANGUL DISTRICT (ORISSA)—*contd.*

8. **Miscellaneous**—*contd.*

Provision as to auction sales	Reg.1,1894,s.56.	
Control of agents and petition-writers	,,	s.57.
Power to grant exemption from court-fees	,,	s.58.
Administration of oath or solemn affirmation	,,	s.59.
Angul a general police-district; Superintendent to have powers of Inspector General of Police	,,	s.60.
Irregularities when not to vitiate proceedings	,,	s.7.
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Where sentences passed in Angul may be carried out	,,	s.9.

ANIMAL.

A.—DISEASES	1. **British India generally.** 2. **Bengal.** 3. **Madras Presidency.**
B.—TRESPASS	1. **Generally.** 2. **Presidency-towns.**
C.—MISCELLANEOUS.	

A.—DISEASES.

1. **British India generally.**

Act 9, 1898, extends to whole of British India	Act9,1898,s.1.	
Act 9, 1898, declared in force in Santhál Parganas	Reg.3,1872,s.3,Sch.	
,, ,, ,, ,, Upper Burma (except the Shan States)	Act13,1898,s.4,Sch.1.	
Definitions	Act9,1898,s.2.	
Power to regulate, restrict or prohibit the bringing or taking into British India of animals which may be liable to be affected by infectious or contagious disorders	,,	s.3.
Power to make rules for destruction, detention, disinfection, etc., of animal, fodder, harness, etc.	,,	s.4.
Bar of suit, etc., for things done in good faith under Act	,,	s.5.
Act 13, 1899, extends to whole of British India	Act13,1899,s.1.	
Declared in force in Santhál Parganas	Reg.3,1872,s.3,Sch.	
Power to apply Act 13, 1899, to local areas by notification	Act13,1899,s.3(am.Act12, 1910).	
Act 13, 1899, applies to horses and asses affected with glanders or farcy or any notified disease	,,	s.2.
Inspectors; appointment and status of	,,	s.4.
,, search by, for diseased animals, and seizure and examination of same; destruction or restoration to owner of animal seized	,,	ss.5to8.
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Veterinary practitioner may be appointed to be both Inspector and Veterinary practitioner under Act.	,,	s.15.
Disinfection of stables, etc.	,,	s.9.
Information to be given when animal diseased	,,	s.10.
Animal which has been with diseased animal not to be removed without license	,,	s.11.
Bar of suit, etc., for thing done in good faith under Act	,,	s.16.
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ANIMAL—*contd.*

A.—DISEASES—*contd.*

1. British India generally—*contd.*

Power of Local Government to make rules under Act 13, 1899	Act13,1899,s.14.
Power of Governor General in Council to make rules for cantonments as to segregation, removal, exclusion and destruction of animals suffering from infectious disease	Act15,1910,s.24(22).
Railway Administration not bound to carry animal suffering from infectious or contagious disorder	Act9,1890,s.54(3)
Act 5, 1910; power to apply Act to provinces by notification	Act5,1910,s.1(2).
Appointment, power and duties of Inspector under	„ ss.4,5,6.
Punishment of Inspector for vexatious entry, search, etc.	„ s.13.
Appointment and powers of Veterinary Inspectors under	„ ss.4,8.
Registration of horses maintained for breeding purposes	„ s.3.
Inspection of horses by Veterinary Inspector	„ s.7
Destruction, etc., of horses and mares affected with dourine; payment of compensation; procedure for settlement of compensation; appeal to committee	„ ss.8(6),9-12.
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Bar of suit, etc., for thing done in good faith under Act	„ s.16.
Power to make rules	„ s.14.
Application of Act 5, 1910, to entire areas	„ s.2(2).

2. Bengal.

Power of District Board as to veterinary treatment *See also* C.	Ben.Act3,1885,ss.100(3a),(3b),(3d),138(k),(p)(am. Ben.Act5,1908,ss.48,60).

3. Madras Presidency.

Mad. Act 2, 1866, to extend to areas notified	Mad.Act.2,1866,s.1.
„ „ „ applies to large animals generally	
Definitions	„ s.2.
Hospital pounds; establishment, etc., of	„ s.3.
„ „ removal of diseased animals to	„ ss.5,6,7.
„ „ payment of cost of keeping animals in	„ ss.9,11.
Notice to be given when animal diseased	„ s. 4.
Disinfection of stables, etc.	„ ss.6,8.
Entry and inspection of premises	„ s.7.
Destruction of diseased animal and burial of carcase	„ s.10.
Segregation of diseased animals, otherwise than in hospital pound	„ s.12.
Penalties	„ ss.14,15,18.
Complaints against wrongful seizure of animals	„ s.16.
Fund established under Act 1, 1871 (Cattle Trespass): fines to be credited to and expenses met from	„ s.17.
Power of Local Government to make by-laws	„ s.18.
See also C.	

B.—TRESPASS.

1. Generally.

Act 1, 1871, extends to whole of British India except Presidency-towns and notified areas	Act1,1871,s.1.

ANIMAL—*contd.*

B.—TRESPASS—*contd.*

1. Generally—*contd.*

Act 1, 1871, declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3,Sch.
the Arakan Hill District	Reg.9,1874,s.3.
Upper Burma generally (except the Shan States)	Act13,1898,s.4,Sch.1.
British Baluchistan	Reg.1,1890,s.3.
Angul District	Reg.1,1894,s.3.
Definitions	Act1,1871,s.3.
Pounds; establishment of	,, s.4.
,, control of / ,, rates to be charged	,, s.5.
,, keepers of; appointment and status of	,, s.6.
,, ,, to register seizures and furnish returns	,, ss.7,8.
,, ,, to take charge of animals impounded	,, s.9.
,, when animals may be impounded	Act1,1871,ss.10,11.
,, fines and charges for animals impounded	,, s.12.
,, delivery or sale of animals impounded	,,ss.13to16,19.
,, disposal of fines, etc.	,, ss.17,18.
,, complaints of illegal seizure or detention	,, ss.20to23.
Penalties	,, ss.24to27.
,, application of	,, s.28.
Suits for compensation for damage done by animals	,, ss.29,30.
Power of Local Government to transfer certain functions under Act 1, 1871, to Local Authority and direct credit of surplus to Local Fund	Act1,1871,s.31. (C.P.andSambalpur District)Act1, 1883,ss.9(*f*),23(*1*)(*c*). (U.P.)U.P.Act3,1906,ss.42 (*1*)(*h*),43(*d*). (P.andN.-W.F.)Act20, 1883,s.20(*n*).
Fund established under Act 1, 1871: fines under Mad. Act 2, 1866 (Diseases of Animals), to be credited to, and expenses of working that Act to be met from	Mad.Act2,1866,s.17.
Trespass on railway	Act9,1890,s.125.
,, in forest. *See* FOREST, 1 (State forests in Ajmere), 6.	
Power of police to take charge of stray animals	Bom.Act4,1890,s.56. (Ran.)Bur.Act4,1899, s.16(*9*).

2. Presidency-towns.

Impounding of animals straying or trespassing	(Bo.)Bom.Act4,1902,ss.51 to 53. (Cal.)Ben.Act4,1866,s.71 (rep.pt.Ben.Act3,1910,s. 34). (Mad.)Mad.Act3,1888,ss. 23,60.
Power to make rules to control straying and grazing of animals in Fort William	Act13,1881,s.3,Sch.,cl. (*10*).

C.—MISCELLANEOUS.

Power of District Boards, Bengal, to provide for improvement of breed of horses, cattle or asses, and for breeding of mules	Ben.Act3,1885,ss.100,(*3c*), (*3d*),138(*p*)(am.Ben.Act5, 1908,ss.48,60).

ANIMAL—*concld.*

C.—MISCELLANEOUS—*contd.*

Control over keeping of animals in municipalities. *See under* MUNICIPALITY, *sub-heading,* "THE PUBLIC HEALTH, SAFETY AND CONVENIENCE."

Duty of municipality to take measures for preventing, etc., infectious disease among cattle . . . . . Bom.Act3,1901,s.147.

" " headman of ward or village or of village-police with regard to cattle-disease . . . . . Bur.Act.3,1907,s.7(*i*),(*j*). Bur.Act6,1907,s.8(*k*).

See also CRIMINAL LAW (IND.), 12; CRUELTY TO ANIMALS; DOG; ELEPHANT; GAME; MARCHING TROOPS, 5; SLAUGHTER OF ANIMALS.

ANNOYANCE, CRIMINAL. *See* CRIMINAL LAW (INDIAN), 22.

ANNUITY. *See* SUCCESSION, 6.

ANTIQUITIES, traffic in. *See* ANCIENT MONUMENTS.

APPEAL.

See CIVIL COURTS; CIVIL PROCEDURE, 7; COURT OF WARDS; CRIMINAL PROCEDURE (INDIAN), 10; JUDICIAL COMMITTEE; *and other appropriate heads.*

APPELLATE JURISDICTION ACT, 1887. (*See* JUDICIAL COMMITTEE). . . 50-1 V. c. 70.

" " " 1908. (*See* JUDICIAL COMMITTEE). . . 8 Edw. 7, c. 51.

APPRENTICES ACT, 1850. (*See* APPRENTICE) . . . . Act19,1850.

APPRENTICE.

Act 19, 1850, declared in force—

throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.

in the Arakan Hill District . . . . . Reg.9,1874,s.3.

in Upper Burma generally (except the Shan States) . . . Act13,1898,s.1,Sch.1.

Definitions . . . . . Act19,1850,s.25.

Apprenticing of child, orphan, vagrant, etc., by parent, guardian, Magistrate or manager of public charity . . . . . " ss.1to4.

Apprenticing of youthful offender by authorities of Reformatory School . . . . . Act8,1897,ss.22,24.

Apprenticing boy to sea service. [*See also* MERCHANT SHIPPING, 2 (*b*)] . . . . . Act19,1850,ss.5,7,10.

Contract of apprenticeship:

Form of . . . . . " s.8,Sch.A.

Execution of . . . . . " ss.9,10.

Deposit of, with Magistrate or Registrar of Shipping . . Copies of, to be given, and to be evidence . . . . " s.10.

Alteration or determination of, by consent . . . . " s.11.

Determination or renewal of, on death of master . . . " ss.19,20.

Determination of, on insolvency of master . . . . " s.22.

Cancellation of, for misconduct of apprentice . . . " ss.16,17.

Assignment of apprentice to new master . . . . . " s.12,Sch.B.

Complaints to Magistrate by apprentice against master . . " s.13.

" " by master against apprentice . . " s.15.

" " limitation of time for making . . " s.18.

Punishment of apprentice by master . . . . . " ss.13to15.

Apprentice entitled to three months' maintenance on death of master . . . . . " s.21.

APPRENTICE—*contd.*

What persons amenable to jurisdiction of Magistrates . . Act19,1850,s.23.
Appeal from Magistrate to Court of Session ; limitation of appeal s.24

ARAKAN HILL DISTRICT LAWS REGULATION, 1874. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES, I ; ADMINISTRATION OF ESTATES (IND. LAW) ; ADMINISTRATOR GENERAL ; AGENCY ; ALIEN ; ANIMAL, B ; APPRENTICE ; ARAKAN HILLS ; ARMS, AMMUNITION AND MILITARY STORES ; BANK, 2 ; CAPITATION TAX, ETC.; CARRIER, ETC.; CASTE ; CONTRACT ; CRIMINAL LAW (IND.), 25 ; DISTURBED DISTRICT ; EVIDENCE, II ; EXCISE ; FOREIGN RECRUITING ; FOREIGNER ; HINDU WIDOW ; INDIAN MILITARY AND NAVAL FORCES ; INFANTICIDE ; INTEREST ; LAND (IND. LAW) ; LANDHOLDER ; LAND-REVENUE, IX ; LUNATIC ; MARRIAGE, II ; MARRIED WOMAN ; MINORITY ; OATH AND AFFIRMATION ; OPIUM ; PARTERNERSHIP ; PENSIONS AND GOVERNMENT GRANTS ; POLICE, I ; PUBLIC OFFICER ; RIVER ; SCHEDULED DISTRICTS ; SLAVERY ; STATE OFFENCES ; STATE PRISONERS ; SUCCESSION ; TOLLS ; TORTS ; TRIBUTE ; VAGRANT ; WASTE-LAND) . Reg.9,1874.

ARAKAN HILL DISTRICT LAWS REGULATION, 1901. (*See* ARAKAN HILLS ; STAMP) . . . . . Reg.2,1901.

ARAKAN HILL DISTRICT LAWS AMENDMENT REGULATION, 1893 . . . . . Reg.8,1893.

ARAKAN HILLS CIVIL JUSTICE REGULATION, 1874. (*See* ARAKAN HILLS) . . . . . Reg.8,1874.

ARAKAN HILLS CIVIL JUSTICE AMENDMENT REGULATION, 1876. (*See* ARAKAN HILLS) . . . . Reg.5,1876.

ARAKAN HILL CIVIL JUSTICE REGULATION (1874) AMENDMENT REGULATION, 1892 . . . . Reg.2,1892.

ARAKAN HILLS.

1. Status, Law and Administration.

The Arakan Hills are a Scheduled District . . . . . Act14,1874,s.1,Sch.I,Pt. XI. Act15,1874,s.2,Sch.VI,Pt. XI.

Certain Acts and Bengal Regulations declared in force, to the exclusion of all others then on the Statute-book . . . Reg.9,1874,ss.2,3,Sch.

Law to be administered . . . . . Reg.8,1874,s.4.

Functions of High Court in miscellaneous matters to be discharged by Commissioner . . . . . Reg.9,1874,s.

Licenses to manufacture or deal in arms or ammunition not to be granted without express sanction of Local Government . . „ s.5.

Assessment and collection of revenue . . . . . „ ss.10to14.

Boats : contents to be declared ; search ; seizure of spirit manufactured out of the district and opium, ganja, ammunition and arms not protected by pass ; penalties . . . . . „ ss.15,16,17.

Recovery of fines imposed under Reg. 9, 1874 . . . . „ s.18.

Conferment of magisterial powers on police-officers in Salween and Arakan Hill Districts . . . . . Act13,1898,s.9.

Act 2, 1899 (Stamps), not to extend and never to be deemed to have extended to . . . . . Reg.2,1901,s.2.

2. Civil Justice.

Definitions . . . . . Reg.8,1874,s.1.

ARAKAN HILLS—*contd.*

2. Civil Justice—*contd.*

Courts : grades of ; powers of . . . . . Reg. 8,1874, s.2. Reg.5,1876.
Commissioner to discharge functions of High Court . . . Reg.9,1874,s.4.
Res judicata and pending suits . . . . . Reg.8,1874,s.3.
Appearances, applications and acts by parties, and consequences of non-appearance . . . . . ,, ss.5to8,24 to 30,55,56.
Institution of suits . . . . . ,, ss.9to12.
Service of summons on defendants . . . . . ,, ss.13to23.
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Judgment . . . . . ,, ss.39to46.
Special and miscellaneous provisions . . . . . ,, ss.47to53, 54,57to59.
Execution of decrees . . . . . ,, ss.60to66.
Appeal and revision . . . . . ,, ss.67to76.
Power to make rules of practice . . . . . ,, s.78.

ARBITRATION.

Contract to refer existing or future disputes to ; effect of . Act1,1877,s.21.
General procedure for reference to. *See* CIVIL PROCEDURE, 6.
Act 9, 1899, extends to whole of British India . . . . Act9,1899,s.1.
,, application of, limited to cases where suit relating to the subject-matter could be brought in a Presidency-town ; power to extend application ; application of Act to Rangoon . . . . . ,, ss.2,23.
Definitions . . . . . ,, s.4.
Arbitrator ; submission to, irrevocable, except by leave of Court . ,, s.5.
,, ,, form of . . . . . ,, s.6,Sch.1.
,, appointment of, by third person or by either party . ,, ss.7,9.
,, powers of . . . . . ,, s.10.
Award ; form, filing and effect of . . . . . ,, ss.11,15.
Court ; power of, to appoint and remove arbitrator or umpire . ,, ss.8,16.
,, ,, to set aside appointment of arbitrator . . ,, s.9,proviso.
,, ,, to enlarge time for, remit, or set aside award . ,, ss.12to14.
,, ,, to give costs . . . . . ,, s.17.
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Provisions relating to arbitration in Code of Civil Procedure not to apply . . . . . ,, s.3.
Application of provisions to arbitration under Act 9, 1910 . Act9,1910,s.52.
Special provisions for reference to :
In boundary disputes :
Bombay Presidency . . . . . Bom.Act5,1879,s.120.
Punjab and N.-W. F. . . . . Act17,1887,ss.127to135.
See also BOUNDARIES AND SURVEY-MARKS, 2, 4 ; SURVEY OF LAND, 1, 2.

ARBITRATION—*contd.*

Special provisions for reference to—*contd.*

Under Indian Companies Act, 1882 . . . . . Act6,1882,ss.96to123, 206to211.

Under Dekkhan Agriculturists' Act. *See* DEKKHAN AGRICULTURIST, 3.

Under Bengal Embankment Act . . . . . Act32,1855,s.7.

Under Cantonments (House-Accommodation) Act, 1902. . Act2,1902,ss.18to21, 24to34.

Under Indian Electricity Act, 1910; application of Act 9, 1899 . . . . . Act9,1910,s.52.

Under Religious Endowments Act, 1863. *See* ENDOWMENT, 2.

In matters relating to land-revenue: partition of revenue paying estates, etc.:

Assam . . . . . Reg.1,1886,s.143.

Bengal and Eastern Bengal . . . . . Ben.Reg.7,1822,ss.33, 34. Ben.Reg.9,1833,ss.5to 10.

Coorg . . . . . Reg.1,1899,ss.127to135.

United Provinces . . . . . U.P.Act3,1901,ss.113, 203to207.

Punjab and N.-W. F. . . . . Act17,1887,ss.127to135.

Under Municipal Act, Bombay Presidency. *See* MUNICIPALITY, VIII, A, 7.

In partition cases . . . . . Ben.Act5,1897,ss.51 to 55,98.

Under Coorg Temple Funds Management Regulation . . Reg.4,1892,s.20.

ARCHDEACONS. *See* BISHOPS AND CLERGY.

ARMS ACT (INDIAN), 1878 . . . . . Act11,1878.

ARMS, AMMUNITION AND MILITARY STORES.

1854. Act 24 (War-knives, etc., Malabar).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Reg. 9, ss. 5, 16, 17 (Arakan Hills).
1876. Reg. 3, ss. 31, 32 (Andamans).
1878. Act 8, s. 88 (Sea Customs).
„ Act 11 (Arms. etc.).
1883. Reg. 1, s. 18 (*10*) (Rural Police, Assam).
1884. Act 4, s. 15 (Explosives).
1888. Mad. Act 3, s. 69 (Police, Madras City).
1890. Bom. Act 4, ss. 42, 68 (Police, Bombay).
1894. Act 8, ss. 3, 5, Sch. 2 (Tariff).
1898. Act 5, s. 184 (Criminal Procedure).
„ Act 13, s. 4 (Laws, Burma).
1899. Bur. Act 4, s. 30 (*a*) (Police, Rangoon).
1902. Bom. Act 4, ss. 23, 127 (Police, Bombay City).
1908. Act 15, s. 27 (Ports).
1910. Reg. 3 (Traffic in Arms, Aden).

1. Preliminary.
2. Control.
3. Offences, Penalties and Procedure.
4. Miscellaneous and Local.

1. Preliminary.

Act, 11, 1878, extends to whole of British India . . . . Act11,1878,s.1.

„ „ declared in force in—

the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

Upper Burma generally (except the Shan States) Act13,1898,s.4,Sch.1.

2. Control.

Prohibition of unlicensed manufacture, conversion or sale . Act11,1878,s.5

„ „ „ importation or exportation . . „ s.6.

„ „ „ going armed . . . . . „ s.13.

ARMS, AMMUNITION AND MILITARY STORES—*contd.*

2. Control—*contd.*

Prohibition of unlicensed possession	Act 11,1878,ss.14,15
,, ,, ,, importation, manufacture, barter, sale or possession of arms, cutting instruments or gunpowder, into or in Andamans; penalty	(And.)Reg.3,1876,ss.31, 32.
Power to regulate or prohibit transport of	Act11,1878,s.10.
Exemptions from prohibitions:	
Arms, ammunition and stores forming part of equipment of ship	,, s.1(*a*).
,, ,, ,, ,, manufactured, possessed, etc., by order of Government or by public servant or volunteer in course of his duty	,, s.1(*b*).
Arms and ammunition possessed for private use and sold to person not prohibited from possessing same	,, s.5.
Arms (except cannon) and ammunition imported or exported for private use by person lawfully entitled to possess same	,, s.6.
Power to exempt persons, arms, ammunition, or territory	,, s.27.
Licenses; grant of	,, s.17.
,, production of	,, s.17(*f*).
,, suspension or cancellation of	,, s.18.
Record or account; keeping and exhibition of, by licensee	,, s.17(*c*).
Exhibition of stock of	,, s.17(*e*).
Production of, on demand of Government officer	,, s.17(*f*).
Deposit at police-station of arms, etc., the possession of which has become unlawful; forfeiture of license not obtained in three years	,, s.16.
Notice to be given of sale of arms or ammunition to person not exempted from Act	,, s.5.
Sanction of Local Government required to deposit of, in warehouse licensed under Sea Customs Act	,, s.7.
Establishment of searching-stations on British frontier	,, s.11.
Power to direct census of fire-arms	,, s.32.
Customs-duties on imports of, by sea, and imports by land from foreign territory; exemptions from duty	Act8,1894,ss.3,5,Sch.2.
Restrictions on sale of, under Sea Customs Act	Act8,1878,s.88.
Arms Act, 1878, not affected by Explosives Act, 1884; license under latter Act may be given effect of license under former Act	Act4,1884,s.15.

3. Offences, Penalties and Procedure.

Offences and penalties	Act 11,1878,ss.18,24,32. (And.)Reg.3,1876,s.32.
,, information to be given of	Act11,1878,s.28.
Confiscation of arms, etc., for offence	,, s.24.
Penalty for discharging fire-arm in port or from pier, etc., otherwise than for making signal of distress, etc.	Act15,1908,s.27.
Penalty for unlawfully going armed in public place	(Bo.)Bom.Act4,1890,ss. 42,68. (Bo.Town)Bom.Act4, 1902,ss.23(2),113,127.

ARMS, AMMUNITION AND MILITARY STORES—*contd.*

3. Offences, Penalties and Procedure—*contd.*

Penalty for unlawfully going armed in public place—*contd.* *See also* CRIMINAL PROCEDURE (INDIAN), 6 (*i*).	(M.City)Mad.Act3,1888, s.69. (Ran.)Bur.Act4,1899, s.30(*a*).
Report of offences to be made by rural policemen	(As.)Reg.1,1883,s.18 (*10*).
Offences triable in Presidency-town, wherever committed	Act5,1898,s.184.
Arrest and disposal of persons conveying arms, etc., under suspicious circumstances	Act11,1878,s.12.
Disarming of person going armed without license or in contravention of license	,, s.13.
Entry, inspection, search, seizure and detention	,, ss.17(*d*),25, 26,30.
Prosecutions; certain, sanction required to	,, s.29.
,, under other law not barred, but only one punishment allowed	,, s.31.
,, notice and limitation of proceedings other than suits	,, s.33.

See also BRITISH BALUCHISTAN II, 6 (*t*); STREETS, THOROUGHFARES AND PUBLIC PLACES.

4. Miscellaneous and Local.

Imposition of restrictions on sea-traffic in arms, etc., between Aden and places in Gulf of Aden:	
Definitions	Reg.3,1910,ss.2,12, Expln.
Port-clearance required from ships leaving Aden or arriving at Aden from selected ports	,, ss.3,4.
,, power to prohibit grant of, at Aden for voyages to other than "prescribed ports;" declaration of "prescribed ports"	,, ss.5,6.
Penalty for departing from or arriving at Aden without required port-clearance or for touching at intermediate port	,, ss.7,9.
,, for unlawfully carrying arms, etc., between places in Gulf of Aden: institution of prosecution within one year	,, s.8.
Detention of vessel: recovery of fine by distress and sale of vessel, tackle, etc.	,, s.10.
Searching posts; power to establish: detention and search of boxes, etc., for arms, etc.	,, s.11.
Power to make rules prohibiting "native vessels" trading between Aden and British Protectorates of Aden and Somaliland, from carrying arms, etc., except under license: grant of and fee for license, etc.	,, s.12.
Power to make rules generally	,, s.12(*1*)(*c*).
Power to exempt any vessel or class of vessels from Regulation	,, s. 13.
War-knives and similar weapons in Malabar District:	
Prohibition of use	(M.)Act24,1854,s.1.
Penalty for possessing, purchasing, selling or manufacturing; confiscation	,, s.2.
Search and seizure; confiscation; penalty for resisting search	,, s.3

ARMS, AMMUNITION AND MILITARY STORES—*concld.*

4. Miscellaneous and Local—*contd.*

Licenses to manufacture or deal in arms or ammunition in Arakan Hills not to be granted without express sanction of Local Government . . . . . Reg.9,1874,s.5.

Seizure and confiscation of arms and ammunition in boat on river Kuladan which are not protected by pass; penalty on boatman . . . . . „ ss.16,17.

See also CHIN HILLS, 5; CHITTAGONG HILL TRACTS; KACHIN HILLS, 5.

ARMY ACT. (*See* ARMY; ARMY RESERVE; CAPITAL PUNISHMENT; EVIDENCE, II; INDIAN MILITARY AND NAVAL FORCES; NAVY; VOLUNTEER) . . . . . 44-5V.c.58.

ARMY PRIZE MONEY ACT, 1832 [1]. (*See* ARMY; PRIZE) . 2-3W.4,c.53.

ARMY.

1809. 49 G. 3, c. 126 (Commissions).
1831-2. 2-3 W. 4, c. 53, ss. 2, 29 (Prize Money).
1834. 4-5 W. 4, c. 24, ss. 21, 25 (Half-pay, etc.)
1864. 27-8 V. c. 25, ss. 34, 35 (Prize Money).
1866. 29-30 V. c. 47 (Prize Money).
„ 29-30 V. c. 109, s. 88 (Discipline on board ship).
1867-8. 31-2 V. c. 38 (Indian Prize Money).
1874. 37-8 V. c. 61 (Ordnance Corps).
1879. 42-3 V. c. 8 (Registration of Births, Deaths and Marriages).
1881. 44-5 V. c. 57, s. 55 (Regulation of the Forces).
„ 44-5 V. c. 58 (Discipline and Regulation).
1882. 45-6 V. c. 7 (Annual).
1883. 46-7 V. c. 6 (Annual).
1884. 47-8 V. c. 8 (Annual).
1884-5. 48-9 V. c. 8 (Annual).
1886. 49-50 V. c. 8 (Annual).
1887. 50-1 V. c. 2 (Annual).
1888. 51-2 V. c. 4 (Annual).
1889. 52-3 V. c. 3 (Annual).
1890. 53-4 V. c. 4 (Annual).
1891. 54-5 V. c. 5 (Annual).
1892. 55-6 V. c. 2 (Annual).
„ „ c. 23, s. 22 (Marriages).
1893. 56-7 V. c. 4 (Annual).
„ 56-7 V. c. 5 (Regimental Debts).
1894. 57-8 V. c. 3 (Annual).
„ 57-8 V. c. 45 (Uniform).
1895. 58-9 V. c. 7 (Annual).
1896. 59-60 V. c. 2 (Annual).
1899. 62-3 V. c. 3, ss. 4-6 (Annual).
„ c. 40 (Reserve Forces).
„ Act 19 (Currency Conversion).
1901. 1 Edw. 7, c. 2, ss. 4-5 (Annual).
1904. 4 Edw. 7, c. 5, ss. 4-14 (Annual).
1906. 6 Edw. 7, c. 2, ss. 4-10 (Annual).
1907. 7 Edw. 7, c. 2, ss. 4-10 (Annual).
1908. 8 Edw. 7, c. 2, ss. 4, 5 (Annual).
1909. 9 Edw. 7, c. 3, ss. 4-11 (Annual).
1910. 10 Edw. 7, c. 6 (Annual).

1. Maintenance and Command.
2. Commissions and Officers.
3. Enlistment and Service.
4. Discipline and Regulation.
5. Billeting and Impressment of Carriages, etc.
6. Pay, Pension, Booty and Prize Money, Decorations, and Effects.
7. Miscellaneous.

See also ARMY RESERVE; INDIAN MILITARY AND NAVAL FORCES.

1. Maintenance and Command.

Maintenance of standing army within realm in time of peace, without consent of Parliament, illegal . . . . . 59-60V.c.2,preamble.

Necessity for maintenance of . . . . . „ „ „

Power of Crown to make regulations as to command and mode of exercise of command . . . . . 44-5V.c.58,s.71.

[1] This short title was given by 59 & 60 Vict., c. 14.

ARMY—*contd.*

2. Commissions and Officers.

Signature, etc., of commissions prepared under authority of sign manual	25-6V.c.4.
Proof of rank, status, appointments, corps, by Army Lists or Gazette	44-5V.c.58,s.163(*1*)(*d*).
Penalties for buying or selling, or negotiating purchase, etc., of commission, promotion, retirement, or exchange	49G.3,c.126. 44-5V.c.58,s.155.
Exchanges authorised by regulations exempt from penalty	,, s.155(*3*).
Compensation on retirement to officers who, on Nov. 1, 1871, served in Indian ordnance corps Army Purchase Commissioners.; appointment, powers, duties, and officers of	37-8V.c.61.
Pay, half-pay, and pension. *See below*, 6.	
Privileges, exemptions, disqualifications. *See below*, 7 (*a*).	

3. Enlistment and service.

Term and conditions of enlistment; change of conditions	44-5V.c.58,ss.76to78. 9Edw.7,c.3,s.4,Sch.2.
Reckoning and forfeiture of service	44-5V.c.58,ss.73, 79,84,161. 54-5V.c.5,s.4. 62-3V.c.3,s.5. 9Edw.7,c.3,s.4,Sch.2.
Mode of enlistment; oath of allegiance; date of attestation	44-5V.c.58,s.80. 9Edw.7,c.3,s.4,Sch.2. 55-6V,c.2,s.5.
Provision as to duplicate attestation papers	46-7V.c.6,s.5.
Power of recruit to purchase discharge	44-5V.c.58,s.81.
Appointment to corps, and transfers	44-5V.c.58,ss.82,83, 182(*2*). 58-9V.c.7,s.8. 62-3V.c.3,s.6(*1*). 7Edw.7,c.2,s.9,Sch.3. 9Edw.7,c.3,s.4,Sch.2.
Definition of corps	44-5V.c.58,s.190(*15*). 58-9V.c.7,s.8,62-3V.c. 3,s.6(*2*).
Re-engagement and continuance in service	44-5V.c.58,ss.84to86. 49-50V.c.8,s.6. 9Edw.7,c.3,s.4,Sch.2.
Prolongation of service or army service in certain cases	44-5V.c.58,s.87. 45-6V.c.7,s.4(*2*). 9Edw.7,c.3,s.4,Sch.2.
Continuance in army service in case of danger or emergency	44-5V.c.58,s.88. 48-9V.c.8,s.5. 9Edw.7,c.3,s.4,Sch.2.
Transfer to reserve	44-5V.c.58,ss.87(*2*),89, 90. 45-6V.c.7,s.5. 54-5V.c.5,s.5. 62-3V.c.40,s.1. 9Edw.7,c.3,s.4,Sch.2.
Discharge; certificate of discharge	44-5V.c.58,ss.90,92,158. 45-6V.c.7,s.5. 51-2V.c.4,s.5. 8Edw.7,c.2,s.4. 9Edw.7,c.3,s.4,Sch.2.

ARMY—*contd.*

3. Enlistment and service—*contd.*

Subjection to military law until discharge or transfer . . . 44-5V.c.58,ss.90(*1*),(*3*), 92,(*1*),158(*2*). 7Edw.7,c.2,s.9, Sch.3. 9Edw.7,c.3,s.4,Sch.2.

Sending of lunatic on discharge with wife or child to work-house or asylum . . . . . 44-5V.c.58,s.91. 52-3V.c.3,s.5. 54-5V.c.5,s.6. 57-8V.c.3,s.5. 62-3V.c.3,s.4. 9Edw.7,c.3,s.4,Sch.2.

Disposal of effects on discharge on ground of insanity. *See below*, **6** (*e*) (*2*).

Regulations of Secretary of State as to enlistment . . . 44-5V.c.58,s.93. 9Edw.7,c.3,s.4,Sch.2.

What officers, magistrates, and others to have powers of justices as to enlistment . . . . . 44-5V.c.58,s.94. 46-7V.c.6,s.6. 9Edw.7,c.3,s.4,Sch.2.

Enlistment of aliens and negroes . . . . . 44-5V.c.58,s.95. 4Edw.7,c.5,s.6(*1*).

Claims to apprentices and indentured labourers . . . 44-5V.c.58,ss.96,97, 144 (*2*),Sch.I.

Penalty on unlawful recruiting . . . . . ,, s.98.

False answers on attestation . . . . . ,, ss.33,99,163(*1*)(*a*).

Offences as to enlistment [*see below*, **4** (*b*)] . . . . . ,, ss.32to34.

Proof of enlistment . . . . . ,, s.163(*1*)(*a*).

Validity of attestation or re-engagement after receipt of pay for three months . . . . . 44-5V.c.58,s.100(*1*). 9Edw.7,c.3,s.4,Sch.2.

Person in pay deemed soldier ; right to claim discharge . . . 44-5V.c.58,s.100(*2*). 9Edw.7,c.3,s.4,Sch.2.

Examination of claim to discharge for want of or irregularity in attestation or re-engagement . . . . . 44-5V.c.58,s.100(*3*). 9Edw.7,c.3, s.4,Sch.2.

Definition of competent military authority . . . . . 44-5V.c.58,ss.101(*1*)73. 62-3V.c.3.

"Reserve" means first class of army reserve . . . . 44-5V.c.58,s.101(*2*). 9Edw.7,c.3,s.4,Sch.2.

Provisions as to enlistment not applicable to Indian forces . 44-5V.c.58,s.180(*2*)(*h*).

,, ,, how far applicable to auxiliary forces . ,, s.181(*1*), 6Edw.7,c.2,s.5(*2*).

Pension on discharge. *See below*, **6**.

In India. *See* INDIAN MILITARY AND NAVAL FORCES, III, **2**.

4. Discipline and Regulation.

(*a*) DEFINITION AND APPLICATION OF MILITARY LAW.

Army Act . . . . . 44-5V.c.58.

,, ,, how brought into and continued in force . . . 44-5V.c.58,s.2. 59V.c.2,s.2.

,, ,, division of, into parts . . . . . 44-5V.c.58,s.3.

,, ,, printing amendments in copies of . . . . 45-6V.c.7,s.6. 46-7V.c.6,s.11. 47-8V.c.8,s.8. 48-9V.c.8,s.8.

ARMY—*contd.*

4. Discipline and Regulation—*contd.*

(*a*) DEFINITION AND APPLICATION OF MILITARY LAW—*contd.*

Persons subject to military law—

as officers . . . . . 44-5V.c.58,ss.175,190 (*4*). 46-7V.c.6,s.9. 4Edw.7,c.5,s.10. 8Edw.7,c.2,s.5. 9Edw.7,c.3,s.4,Sch.2, s.8(*1*).

,, provisions as to persons accompanying forces on active service . . . . . 44-5V.c.58,s.175(*7,8*). 45-6V.c.7,s.4(*6*). 9Edw.7,c.3,s.4,Sch.2.

as soldiers . . . . . 44-5V.c.58,ss.176,190 (*5,6*). 6Edw.7,c.2,s.10. 9Edw.7,c.3,s.8(*2*).

,, provisions as to persons employed by or accompanying troops on active service . . . 44-5V.c.58,s.176(*9,10*).

application of Army Act to, whether within or without Her Majesty's dominions . . 59V.c.2,s.2(*2*).

,, ,, ,, though number of men in service greater or less than specified in annual Act . . . . ,, s.2(*3*).

Volunteers, militia, etc., raised in India or colony, and serving with regulars . . . . . 44-5V.c.58,s.177. 9Edw.7,c.3,ss.8(*3*),9.

Auxiliary forces and pensioners . . . . . 44-5V.c.58,ss.178,190 (*12*). 9Edw.7,c.3,s.10(*1*).

Modifications of Army Act in application to—

marines . . . . . 44-5V.c.58,ss.179,190 (*8,15*). 4Edw.7,c.5,s.11. 9Edw.7,c.3,s.4,Sch.2.

Indian forces (*see also* INDIAN MILITARY AND NAVAL FORCES) . 44-5V.c.58,ss.180,190.

auxiliary forces . . . . . ,, ss.178,181,190. 6Edw.7,c.2,s.5(*2*).

persons subject to military law while on board ship . . 44-5V.c.58,s.188.

persons not belonging to Her Majesty's forces . . . ,, s.184.

Special provisions as to warrant officers not holding honorary commissions . . . . . ,, ss.180(*2*)(*g*),182. 46-7V.c.6,s.10.

,, ,, ,, non-commissioned officers and army schoolmasters . . . . . 44-5V.c.58,ss.44(*6*),183. 54-5V.c.5,s.10. 7Edw.7,c.2,s.9,Sch.3. 9Edw.7,c.3,s.4,Sch.2.

Interpretation of term "active service" . . . . . 44-5V.c.58,s.189(*1*).

Making forces in British Possession or out of Her Majesty's dominions subject to Army Act as if on active service, in certain cases . . . . . ,, s.189(*2*to*5*).

Interpretation of terms "officer," "soldier," "regular forces," "corps," "battalion," etc. . . . . ,, s.190. 53-4V.c.4,s.9. 58-9V.c.7,ss.8,9. 9Edw.7,c.3,ss.10(*2*),11.

Indian law. *See* INDIAN MILITARY AND NAVAL FORCES, III, 3(*a*).

ARMY—*contd.*

4. Discipline and Regulation—*contd.*

(*b*) Offences punishable by Military Law.

Offences in relation to the enemy punishable with death	44-5V.c.58,s.4.
„ „ „ not punishable with death	„ s.5.
Enemy includes armed mutineers, rebels and rioters, and pirates	„ s.190(*20*).
Offences punishable more severely on active service than at other times	„ ss.6(*1*),189.
Misbehaviour of sentinel	„ s.6(*1*)(*k*).
Occasioning false alarms	„ s.6(*1*)(*h*), (*2*).
Disclosing watchword, etc.	„ s.6(*1*)(*i*),(*2*).
Mutiny, seducing from allegiance, etc., in regulars, reserves, auxiliary forces, or navy [*see also below*, 7 (*b*)]	„ ss.7,158,161, 190. 9Edw.7,c.3,s.4,Sch.2.
Violence, disobedience, etc., to superior officer	44-5V.c.58,ss.8,9,190. (*7*).
Insubordination	„ s.10.
Neglect to obey general or garrison or other orders	„ s.11.
Desertion, attempt to desert, or persuading to desert [*see also below*, 7 (*b*)]	„ ss.12,79,83(*7*), 158, 161. [9Edw.7,c.3,s.4,Sch.2.
Assisting or conniving at desertion [*see also below*, 7 (*b*); *and* Navy, 3 (*b*)]	44-5V.c.58,s.14.
Punishment for pretending to be a deserter. *See below*, 7 (*b*).	
Fraudulent enlistment	44-5V.58,ss.13,79,83(*7*), 138,158,161,190. 6Edw.7,c.2,s.5(*1*). 9Edw.7,c.3,s.4,Sch.2, s.10(*3*).
Absence without leave	44-5V.c.58,ss.15,46.
Disposal of effects on desertion or absence without leave. *See below*, 6 (*e*) (*2*).	
Scandalous conduct of officer	„ s. 16.
Embezzlement, etc., of public or regimental money or goods	„ s. 17.
Malingering, maiming, stealing from comrade, etc., and other disgraceful conduct of soldier	„ s. 18.
Drunkenness	„ ss.19,44(*5*to*10*), 46, 183 (*1*).
„ amendment of s. 46 of Act of 1881	46-7V.c.6,s.4.
Offences as to prisoners	44-5V.c.58,ss.20,21. 7Edw.7,c.2,s.9,Sch.3.
Escape or attempted escape of prisoner	44-5V.c.58,s.22.
Corrupt dealings in respect of supplies	„ s.23.
Soldier making away with or losing equipment or horse, wilfully injuring equipment, etc., or property, or ill-treating horse, etc.	„ ss.24,190(*17*. *18*,*40*), 56-7V.c.4,s.4.
Offences as to reports or other documents	44-5V.c.58,ss.25,26. 56-7V.c.4,s.5.
Making false official declaration	44-5V.c.58,s.25(*3*).
False accusations or statements	„ s.27.
False statement of desertion or fraudulent enlistment, desertion from navy, etc. [*see also* Navy, 5 (*b*)]	„ s.27(*3*).

ARMY—*contd.*

4. Discipline and Regulation—*contd.*

Offences in relation to courts-martial	44-5V.c.58,s. 28. 7Edw.7,c.2,s.9,Sch. 3.
Summary imprisonment for contempt of court-martial	44-5V.c.58,s.28. 7Edw.7,c.2,s.9,Sch.3.
False evidence before military tribunal	44-5V.c.58,s.29
Enlistment by soldier or sailor discharged or dismissed with disgrace from regulars, reserves, auxiliaries or navy	,, s.32. 47-8V.c.8,s.4. 56-7V.c.4,s.6.
False answer on enlistment (*see also above*, 3)	44-5V.c.58,s.33.
Being concerned in enlistment with knowledge that man enlisting commits an offence	,, s.34(*1*).
Contravention of enactments or regulations by recruiter	,, s.34(*2*).
Traitorous or disloyal words as to Sovereign	,, s.35.
Injurious disclosures	,, s.36.
Ill-treatment of soldier	,, s.37(*1*).
Detention of pay of officer or soldier	,, s.37(*2*).
Duelling, attempt to commit suicide	,, s.38.
Refusal to deliver to civil power officers, etc., accused of offences punishable by Civil Court [*see also below*, 7 (*b*)]	,, s.39.
Conduct to prejudice of order and discipline	,, s.40.
Offences punishable by ordinary law	,, ss.41,49(*3*). 49-50V.c.8,s.4. 50-1V.c.2,s.4.

Trafficking in commissions. *See above*, **2**.

Indian law. *See* INDIAN MILITARY AND NAVAL FORCES, III, **3** (*b*).

(*c*) OFFENCES PUNISHABLE CIVILLY, AND OFFENCES BY PERSONS NOT SUBJECT TO MILITARY LAW.

See above, **2**, **3** ; *and below*, **6** (*b*), **7** (*b*).

Indian law. *See* CRIMINAL LAW (INDIAN), **4**, **5** ; INDIAN MILITARY AND NAVAL FORCES, III, **3** (*d*).

(*d*) TRIAL AND PUNISHMENT OF OFFENCES.

(1) *Arrest and Investigation.*

Placing offenders in custody, report, investigation of charges	44-5V.c.58,s.45.
Power to make rules as to investigation	,, s.70(*1*)(*i*).

Apprehension of deserters. *See below*, **7** (*b*).

(2) *Powers of Commanding Officer.*

Power of commanding officer to dismiss charge	,, s.46(*1*).
Summary punishment of soldiers by commanding officer	,, ss.46,138(*4*). 182(*1*),183(*1*). 45-6V.c.7,s.4. 56-7V.c.4,s.7. 4Edw.7,c.5,s.4. 6Edw.7,c.2,s.1(*2*). 7Edw.7,c.2,s.10(*2*). 10Edw.7,c.6.
Right to require evidence to be taken on oath, and to demand court-martial, except in case of minor punishments	44-5V.c.58,s.46(*6*). 56-7V.c.4,s.7(*3*). 7Edw.7,c.2,s.5.

ARMY—*contd.*

4. Discipline and Regulation—*contd.*

(*d*) TRIAL AND PUNISHMENT OF OFFENCES—*contd.*

(*3*) *Courts-martial.*

Warrants and authorities for convening and confirming general and district courts-martial	44-5V.c.58,ss.122,123, 172. 9Edw.7,c.3,s.4,Sch.2, s. 6.
Convening, constitution, and powers of regimental, general, district, and field general courts-martial	44-5V.c.58,ss.47to50, 182,184 (*1*). 56-7V.c.4,ss.8,9(*1*)to (*4*). 6Edw.7,c.2,s.4(*3*),(*4*).
Challenge by accused	44-5V.c.58,s.51. 6Edw.7,c.2, 4(*4*).
Power to make rules as to Courts	44-5V.c.58,ss.55,70 (*1*)(*b*). 7Edw.7,c.2,s.9,Sch.3.
Oaths or declarations of members, judge advocate, officers in attendance, shorthand-writers, witnesses	44-5V.c.58,ss.52,190 (*28*). 6Edw.7,c.2,s.4(*4*). 7Edw.7,c.2,s.9,Sch.3,
Courts governed by United Kingdom law only	44-5V.c.58,s.127.
Summoning, privilege, etc., of witnesses	,, ss.52,125,190 (*28*).
Rules of evidence the same as in English Civil Courts	,, s.128.
False evidence by military witness	,, s.29.
False evidence by civilian	,, ss.126(*2*), 180(*2*).
Misconduct as witnesses or contempt, by person subject to military law	,, s.28. 7Edw.7,c.2,s.9,Sch.3.
,, ,, ,, by civilian	44-5V.c.58,s.126.
,, ,, ,, ,, in India	,, s.180(*1*).
Rules for conduct of counsel, contempt of Court, etc.	,, s.129. 57-8.c.3,s.6.
Dissolution, adjournment, view, voting, etc.	44-5V.c.58,s.53. 6Edw.7,c.2,s.4(*4*).
Power to make rules as to adjournment, etc., and procedure	44-5V.c.58,ss.56,70(*1*) (*c*), (*d*). 7Edw.7,c.2,s.9,Sch.3.
Power to include several charges of desertion or fraudulent enlistment in one arraignment	44-5V.c.58,ss.12(*2*),13 (*2*).
Conviction of less offence on charge of greater	,, s.56. 6Edw.7,c.2,s.4(*4*).
Special finding, and proceedings, where prisoner insane	44-5V.c.58,s.130. 7Edw.7,c.2,s.9,Sch.3.
Discharge on finding of acquittal on all charges	44-5V.c.58,s.54(*3*).
Power of Courts as to sentences	,, ss.41,44,47(*5*), 48(*6,8*),49,55 (*2*), 137,138,182(*1,2*), 183(*3*). 55-6V.c.2,s.4. 56-7V.c.4,s.9(*5*).

ARMY—*contd.*

4. Discipline and Regulation—*contd.*

(*d*) TRIAL AND PUNISHMENT OF OFFENCES—*contd.*

(3) *Courts-martial*—contd.

Power of Courts as to sentences—*contd.*	6Edw.7,c.2,ss.4(*1*),(*3*),7(*1*),(*2*). 7Edw.7,c.2,s.10(*1*),(*3*). 9Edw.7,c.3,s.4,Sch.2.
Recommendation for mercy	44-5V.c.58,s.53(*9*).
Finding of acquittal not subject to confirmation, etc.	,, s.54(*3*).
Confirmation, revision, and approval of findings and sentences other than findings of acquittal	,, ss.49(*3*),54,55(*2*),130(*4*),188. 56-7V.c.4,s.9(*6*),(*7*). 6Edw.7,c.2,s.4(*4*). 7Edw.7,c.2,s.9,Sch.3.
Power to make rules as to confirmation and revision	44-5V.c.58,s.70(*1*)(*e*). 7Edw.7,c.2,s.9,Sch.3.
Abolition of summary courts-martial	56-7V.c.4,s.9(*8*).
Commutation, mitigation, remission, suspension, etc., of sentences	44-5V.c.58,ss.44(*10*),57,83(*7*). 53-4V.c.4,s.5. 62-3V.c.3,s.5. 4Edw.7,c.5,s.5. 6Edw.7,c.2,s.4(*1*),(*2*), 7Edw.7,c.2,ss.10(*1*),9, Sch.3.
Power to commute imprisonment into summary punishment	48-9V.c.8,s.4.
,, ,, punishment of death for murder	50-1V.c.2,s.5.
,, make rules enabling valid to be substituted for invalid sentence	49-50V.c.8,s.5.

(4) *Punishments ; Execution of Sentences ; Prisons.*

Powers of commanding officer as to punishments	44-5V.c.58,s.46. 45-6V.c.7,s.4(*1*). 56-7V.c.4,s.7. 6Edw.7,c.2,s.4(*2*) 7Edw.7,c.2,s.10(*2*). 10,Edw.7,c.6.
Scale of punishments by court-martial	44-5V.c.58,ss.44,137,138. 45-6V.c.7,s.4(*3*). 55-6V.c.2,s.4. 7Edw.7,c.2,s.10.
Punishments for civil offences	44-5V.c.58,s.41. 49-50V.c.8.s.4. 50-1V.c.2,s.4.
Summary punishment, other than flogging, of soldier on active service for certain offences	44-5V.c.58,s.44(*5*),(*6*),(*9*),(*10*).
Prohibition of inflicting punishments not authorized by Act, under authority derived from foreign ruler	47-8V.c.8,s.5.
Restriction on cumulative sentences of imprisonment	44-5V.c.58,s.68(*2*). 9Edw.7,c.2,s.9,Sch.3.
Commencement of term of penal servitude or imprisonment	44-5V.c.58,s.68(*1*). 7Edw.7,c.2,s.9,Sch.3.
Effect of sentence of penal servitude	44-5V.c.58,s.58.

ARMY—*contd.*

4. Discipline and Regulation—*contd.*

(c) Trial and Punishment of Offences—*contd.*

(4) *Punishments; Execution of Sentences; Prisons*—contd.

Execution of sentences by provost-marshal abroad	44-5V.c.58,s.74(*2*). 7Edw.7,c.2,s.10(*4*).
Execution of sentences of penal servitude passed in United Kingdom, India, etc.; transfer of military convicts to penal servitude prisons, etc.	44-5V.c.58,ss.58to62, 68 (*1*). 7Edw.7,c.2,s.9,Sch.3. 9Edw.7,c.3,s.4,Sch.2.
Execution of sentences of imprisonment and detention in United Kingdom, India, colony, or abroad; confinement of prisoners in military custody or public prison; removal of prisoners; bringing up prisoner as witness, or for trial	44-5V.c.58,ss.63to68, 131. 51-2V.c.4,s.4. 7Edw.7,c.2,s.9,Sch.3. 9Edw.7,c.3,s.4,Sch.2.
Transfer of prisoners sentenced to imprisonment exceeding one year, or to penal servitude, to United Kingdom, unless otherwise ordered, or belonging to excepted class	44-5V.c.58,s.131. 9Edw.7,c.2,s.9,Sch.3.
Obligation of governors of prisons, keepers of police-stations, etc., to receive prisoners, deserters, etc., and soldiers in military custody	44-5V.c.58,ss. 131(*1*), 132.
Military prisons, establishment and regulation of; corporal punishment for offences in; provisions as to duties of gaolers, medical officers, and coroners in	,, s.133. 6Edw.7,c.2,s.9. 7Edw.7,c.2,ss.6,9,10(*5*), Sch.3.
Inquiry on death by violence under suspicious circumstances in military prison in India	44-5V.c.58,s.133(*3,4*). 7Edw.7,c.2,s.9,Sch.3.
Restrictions on confinement in prison other than military prison in India or colony	44-5V.c.58,s.134.
Rules by Secretary of State for classification and treatment of prisoners	,, s.135. 52-3V.c.3,s.4.
Treatment of prisoners becoming insane	44-5V.c.58,s.130(*5*). 7Edw.7,c.2,s.9,Sch.3.
Sentence not affected by offender ceasing to be subject to military law	44-5V.c.58,s.158(*2*).
Power to make rules for execution of sentences, etc.	,, s.70. 7Edw.7,c.2,s.9,Sch.3.
Order of Secretary of State as to imprisonment, etc., on production of proceedings or certified copy	44-5V.c.58,s.165.
Provisions as to validity of orders	,, s.172. 46-7V.c.6,s.8. 9Edw.7,c.3,s.4,Sch.2.
Execution of sentence passed on board ship	44-5V.c.58,s.188.
Commutation, etc., of sentences. *See above*, (3).	

(5) *Miscellaneous Provisions as to Trial and Punishment.*

Subjection to military law until discharge or transfer to reserve	,, ss.90(*1,3*),92(*1*), 158(*2*). 7Edw.7,c.2,ss.10(*7*),9,Sch.3. 9Edw.7,c.3,s.4,Sch.2.
Trial after ceasing to be subject to military law	44-5V.c.58,ss.158,161. 9Edw.7,c.3,s.4,Sch.2.
,, elsewhere than where offence committed	44-5V.c.58,ss.159,160.
,, limitation of time for	,, ss.158(*1*),161. 9Edw.7,c.3,s.4,Sch.2.

ARMY—*contd.*

4. Discipline and Regulation—*contd.*

(*d*) Trial and Punishment of Offences—*contd.*

(5) *Miscellaneous Provisions as to Trial and Punishment*—contd.

Restrictions on trial by court-martial of offences punishable by ordinary law	44-5V.c.58,s.41(*a*).
Acquittal or conviction by Civil Court a bar to trial by commanding officer or court-martial	,, ss.46(7),162(5).
No second trial by military law	,, ss.46(7),157.
Regulations as to evidence	,, s.163. 9Edw.7,c.3,s.4,Sch.2. 58-9V.c.7,s.6.
Certificate of acquittal or conviction by Civil Court	44-5V.c.58.s.164.
Proof of proceedings of court-martial	,, s.165.
Preservation of proceedings of courts-martial; copies	,, s.124.
Trial and punishment of warrant officer not holding honorary commission	,, ss.182,190. 46-7V.c.6,s.10. 49-50V.c.8,s.8. 56-7V.c.4,s.10. 4Edw.7,c.5,s.12.
Reduction, etc., of non-commissioned officer	44-5V.c.58,ss.44(*m*),183,190(*5,6*). 62-3V.c.3,s.5. 7Edw.7,c.2,ss.10(7),9,Sch.3. 9Edw.7,c.3,s.4,Sch.2.
Sentences on and dismissal of army schoolmasters	44-5V.c.58,s.183(*a*),(*b*). 62-3V.c.3,s.5. 9Edw.7,c.3,s.4,Sch.2.
Acting non-commissioned officers	44-5V.c.58,s.183(*c*)
Command over and trial of persons not belonging to Her Majesty's forces	,, s.184.

Jurisdiction of Civil Courts. *See below*, 7 (*b*).

See also below, (*e*).

(*e*) Miscellaneous Provisions as to Discipline and Regulation.

Power to make Articles of War; restriction on liability to punishment under Articles	44-5V.c.58 s.69.
Power to make rules for Courts of inquiry	,, s.70(*1*)(*a*),(*5*). 1Edw.7,c.2,s.4. 7Edw.7,c.2,s.9,Sch.3.
Court of inquiry on absence of soldier	44-5V.c.58,s.72.
Effect of confession of desertion or fraudulent enlistment	44-5V.c.58,s.73. 62-3V.c.3,s.5. 6Edw.7,c.2,s.8.
Restitution of property or proceeds of property stolen, etc.	44-5V.c.58,s.75. 9Edw.7,c.3,s.4,Sch.2.
Provost-marshal; appointment and powers of, abroad	44-5V.c.58,s.74. 7Edw.7,c.2,s.10(*4*).
,, duty of, to receive prisoners	44-5V.c.58,s.45(7).
,, impeding or refusing to assist	,, s.6(*1*).

ARMY—*contd.*

4. Discipline and Regulation—*contd.*

(*e*) MISCELLANEOUS PROVISIONS AS TO DISCIPLINE AND REGULATION—*contd.*

Redress of wrongs, complaint for, by officer	44-5V.c.58,ss.42,180(*2*)(*d*). 9Edw.7,c.3,s.4,Sch.2.
,, ,, ,, by soldier	44-5V.c.58,s.43.. 6Edw.7,c.2,s.6.. 7Edw.7,c.2,s.4..
,, ,, false statement or suppression on complaint for	44-5V.c.58,s.27(*2*)..
Extension of furlough in case of sickness	,, s.173.. 9Edw.7,c.3,s.4,Sch.2.
,, ,, false statement in respect of	44-5V.c.58,s.27(*4*).
Exercise of powers vested in holder of military office	,, s.171.. 48-9V.c.8,s.6.
Provisions as to warrants and orders	44-5V. c.58,ss.163(*1*)(*e*),. 172. 46-7V.c.6,s.8. 48-9V.c.8,s.7.. 7Edw.7,c.2,s.9,Sch.3.. 9Edw.7,c.3,s.4,Sch.2..
Trial of offences on board ship by regimental court-martial	44-5V.c.58,s.47..
Application, by Order in Council, of naval discipline to troops, including auxiliaries, on board ship in commission	29-30V.c.109,s.88. 44-5V.c.58,s.186..
Deductions from pay of soldier on board Her Majesty's ship, on sentence by or by award of commanding officer of ship	,, s.138.. 9Edw.7,c.3,s.4,Sch.2.
Formation of "corps" out of associated battalions of regulars and auxiliaries, with or without permanent staff of auxiliaries	44-5V.c.58,s.190(*15,16*)..

Indian law. *See* INDIAN MILITARY AND NAVAL FORCES, III, 3 (*c*).

5. Billetting and Impressment of Carriages, Animals, etc.

(*a*) BILLETTING.

(*b*) IMPRESSMENT OF CARRIAGES, ANIMALS, ETC.

See MARCHING TROOPS.

6. Pay, Pension, Booty and Prize Money, Decorations, and Effects.

(*a*) PAY AND PENSION.

(1) *Ordinary Pay.*

Payment without other than authorized deductions	44-5V.c.58,s.136.. 58-9V.c.7,s.4..
Deductions from pay of officer	44-5V.c.58,ss.44(*12*),. 137,140.. 4Edw.7,c.4,s.7. 7Edw.7,c.2,s.9,Sch.3.. 9Edw.7,c.3,s.4,Sch.2..

ARMY—*contd.*

6. Pay, Pension, Booty and Prize Money, Decorations and Effects—*contd.*

(*a*) Pay and Pension—*contd.*

(1) *Ordinary Pay*—contd.

Deductions from pay of soldier	44-5V.c.58,ss.44(*12*), 46(*2*)(*c*), 73,138,140,145. 46-7V.c.6,s.7. 54-5V.c.5,s.4. 62-3V.c.3,ss.4,5. 6Edw.7,c.2,ss.4(*5*),8. 7Edw.7,c.2,ss.10(*6*),9, Sch.3. 9Edw.7,c.3,s.4,Sch.2.
Correction of error in s. 138 of Act of 1881	45-6V.c.7,s.4(*3*).
Remission of deductions	44-5V.c.58,s.139. 9Edw.7,c.3,s.4,Sch.2.
No execution against pay of soldier for debt	44-5V.c.58.s.144.

(2) *Deferred Pay, Good Conduct Pay, Service towards Pension, etc.*

Forfeiture of, on conviction by court-martial, as provided by Royal warrant	44-5V.c.58,ss.44(*11*) 190(*19*).
Prohibition of assignment of or charge on deferred pay or military reward	,, s.141

(3) *Half-Pay, Retired Pay, Pensions and Allowances.*

Prohibition of assignment of or charge on pension, allowance, etc., payable in respect of military service	,, s.141.
Penalty on detention of pensioners' certificates	54-5V.c.5,s.9.
Half-pay or allowances not affected by Superannuation Acts	4-5W.4,c.24,s.21
Separate estimates of half-pay and allowances	,, s.25
Pensions of soldiers formerly in Indian forces	44-5V.c.57,s.55.

(4) *Supplemental Provisions.*

Administration of oaths on receipt of military rewards, pensions and allowances	44-5V.c.58,s.142. 9Edw.7,c.3,s.4,Sch.2.

(*b*) Offences in relation to Pay, etc.

Military punishment for detaining pay	44-5V.c.58,ss.37(*2*),137. 9Edw.7,c.3,s.4,Sch.2.
False oath or declaration, or personation, as to military reward, pension or allowance, or payment of money or delivery of property in possession of military authorities	44-5V.c.58,s.142. 9Edw.7,c.3,s.4,Sch.2

(*c*) Booty of War and Prize Money.

Right of troops to such interest in booty as Her Majesty shall order	2-3W.4,c.53,s.2.
Adjudication by prize courts as to prize taken in conjunct expeditions of land and naval forces	,, s.29 27-8V.c.25,ss.34,35
Payment to Chelsea Hospital, for distribution—	
of grants for services in India, distributable elsewhere to persons not belonging to Indian forces	29-30V.c.47,ss.1to4
of share of army in prize taken in conjunct expedition	2-3W.4,c.53,s.29.
Payment of shares of non-commissioned officers and soldiers	29-30V.c.47,s.5.

ARMY.—*contd.*

6. Pay, Pension, Booty and Prize Money, Decorations and Effects—*contd.*

(*c*) BOOTY OF WAR AND PRIZE MONEY—*contd.*

Payment and application of share of deceased officer, etc., if less than 100*l.*, without representation; payment to representative, if any; power to require representation to be taken out	29-30V.c.47,ss.6, 7.
Stamp-duty on orders; orders for less than 40*s.*, and receipts, exempt from duty	,, s.8.
Unclaimed shares of prize money belonging to Indian forces; payment of, to Secretary of State or Indian Government; application of; powers for recovery of	31-2V.c.38.

(*d*) DECORATIONS.

Pawning, selling, wilfully injuring, etc.	44-5V.c.58,ss.24(*3.4*), 190(*18*).
Purchasing, etc.	,, ss.156,190(*18*). 9Edw.7,c.3,s.4,Sch.2.
Forfeiture, etc., of, on conviction by court-martial, as provided by Royal warrant	44-5V.c.58,ss.44(*11*), (*19*),180.
Disposal of, on death on service, desertion, etc. *See below*, (*e*) (*2*).	

(*e*) EFFECTS OF OFFICERS AND SOLDIERS.

(1) *Generally.*

Execution against effects of soldier other than pay, equipment, etc.	44-5V.c.58,ss.144,145. 9Edw.7,c.3,s.4,Sch.2.
,, ,, property of persons, subject to military law, other than soldier	44-5V.c.58,s.151. 51-2V.c.4,s.7.
Perjury, personation, etc., as to money or property in possession of military authorities. *See above*, (*b*).	

(2) *Disposal of, under Regimental Debts Act, 1893.*

Collection of effects of persons subject to military law	56-7V.c.5,s.1.
Preferential charges on property	,, ss.2to6.
Disposal of surplus and residue	,, ss.7to10.
,, medals and decorations	,, s.11.
,, effects, etc., without representation in certain cases	,, ss.9,16.
,, effects, not money	,, s.12.
Restrictions on interposition of official administrator	,, ss.14,30.
Money remitted not to be assets in place where remitted to	,, s.15.
Exemption from duty where sum under 100*l.*	,, s.16.
Saving of rights of representative	,, s.19.
Creditor not entitled to take out representation	,, s.20.
Deposit in proper registry of original will or declaration of intestacy and inventory of application of property	,, s.21.
Collection and disposal of effects of army paymaster	,, s.22.
,, ,, ,, person deserting, absent without leave, claimed as apprentice, or convicted of felony	,, s.23.
,, ,, ,, insane	,, s.24.
Validity of payments, etc.; discharge of Secretary of State, etc.	,, ss.17,18.
Warrants and regulations	,, s.1.

ARMY—*contd.*

6. Pay, Pension, Booty and Prize Money, Decorations and Effects—*contd.*

(*e*) EFFECTS OF OFFICERS AND SOLDIERS—*contd.*

(2) *Disposal of, under Regimental Debts Act, 1893*—contd.

Application of Act to all persons subject to military law	56-7Vc.5,s.30.
,, ,, to India	,, ss.25to28.
No forfeiture under Act or regulations, on conviction by court-martial, save as provided by Royal warrant	44-5V.c.58,s.44(*11*). 57-8V.c.3,s.4.

See also INDIAN MILITARY AND NAVAL FORCES, I.

7. Miscellaneous.

(*a*) PRIVILEGES, EXEMPTIONS AND DISQUALIFICATIONS.

Exemption of soldiers from serving on juries	44-5V.c.58,s.147.
,, officers and soldiers, prisoners under escort, etc., from tolls (*see also* FERRY ; TOLLS)	,, s.143(*1,3*).
,, soldiers from civil process, except for crime, etc., or debt exceeding 30*l.* ; proof of amount of debt ; proceedings	,, ss.144,180. 45-6V.c.7,s.4(*4*).
Licenses of canteens ; grant, transfer and renewal of	44-5V.c.58,s.174.

(*b*) CIVIL DUTIES AND LIABILITIES ; OFFENCES BY CIVILIANS.

Inducing to desert, concealing deserter, etc.	,, s.153.
Demanding, etc., tolls from soldiers, etc.	,, ss.115(*5*), 143(*3*). 9Edw.7,c.3,s.4,Sch.2.
Pretending to be a deserter	44-5V.c.58,s.152.
Apprehension of and dealings with deserters, suspected deserters, or persons confessing desertion	,, ss.154,163(*1*)(*i*),Sch.4. 47-8V.c.8,s.6. 9Edw.7,c.3,s.4,Sch.2.
Obligation of governors of prisons, keepers of police-stations, etc., to receive prisoners, deserters, etc., and soldiers in military custody	44-5V.c.58,ss.131(*1*), 132.
Purchasing, etc., or soliciting or assisting soldier to sell, pawn, etc., to, or suspicious possession of, regimental necessaries, equipments, stores, horse, etc. ; detaining certificates of military pensioners and members of army reserve ; search-warrants ; examination of defendant, and wife or husband, as witness	,, s.156. 54-5V.c.5,s.9. 4Edw.7,c.5,s.9. 9Edw.7,c.3,s.4,Sch.2.
False oath or declaration, forgery or personation, in relation to pay, pension, etc., or money or property in hands of military authorities	44-5V.c.58,s.142.
Liability of soldier to maintain wife, children and bastards	44-5V.c.58,ss.138(*8*),145. 45-6V.c.7,s.4. 46-7V.c.6,s.7. 54-5V.c.5,s.7. 62-3V.c.3,s.4. 4Edw.7,c.5,s.8. 9Edw.7,c.3,s.4,Sch.2.
Saving of jurisdiction of Civil Courts over persons subject to military law	44-5V.c.58,ss.41(*b*),158(*1*),162(*2*),180.
Refusing to deliver or obstructing apprehension of officer or soldier accused or convicted of civil offence ; trial of offences committed out of United Kingdom [*see also above*, 4 (*b*)]	,, ss.162(*3to5*),180. 9Edw.7,c.3,s.4,Sch.2.

ARMY—*contd.*

7. Miscellaneous—*contd.*

(*b*) Civil Duties and Liabilities; Offences By Civilians—*contd.*

Civil Court trying offender to have regard to military punishment already awarded	44-5V.c.58,s.162(*1*).
„ „ regulations as to evidence before	„ s.163. 58-9V.c.7,s.6.
„ „ certificate of conviction or acquittal by	44-5V.c.58,s.164.
Proof of proceedings of court-martial	„ s.165.
Prosecution of offences, and recovery and application of fines, under Army Act, in India, etc.	„ ss.166to168, 180,190. 9Edw.7,c.3,s.4,Sch.2.
Reduction of amount of fines in India or colony; declaration of equivalent in local currency	44-5V.c.58,ss.156(*8*),169. 190(*21,23*). 4Edw.7,c.5,s.6(*2*). Act19,1899.
Protection of persons acting under Army Act; limitation of time for proceedings	44-5V.c.58,s.170. 57-8V.c.3,s.7.
Trafficking in commissions. *See above*, 2.	
Wearing military uniform	57-8V.c.45.

(*c*) Miscellaneous Provisions.

Military savings banks; no liability to forfeiture under Act or regulations, on conviction by court-martial, save as provided by Royal warrant	44-5V.c.58,s.44(*11*).
Marriages within lines of army abroad	55-6V.c.23,s.22.
Transmission to Registrar General of registers of or documents showing births, deaths and marriages of officers, soldiers and their families abroad; record of entries and evidence	42-3V.c.8.
Use of recreation rooms for dancing or public entertainment without license	52-3V.c.3,s.7.
Short title of Army Act	53-4V.c.4,s.4.
Army Council, transfer of various powers to	9Edw.7,c.3,s.4,Sch.2.

See also Indian Military and Naval Forces, III, 4.

ARMY RESERVE.

1881. 44-5 V. c. 58 (Army).
1882. 45-6 V. c. 48 (Reserve Forces).
1890. 53-4 V. c. 42 (Reserve Forces).
1891. 54-5 V. c. 5, s. 5 (Transfer to Reserve).
1898. 61-2 V. c. 9 (Permanent Service).
1899. 62-3 V. c. 40 (Residence out of United Kingdom).
1900. 63-4 V. c. 42 (Reserve Forces).
1906. 6 Edw. 7, c. 11 (Reserve Forces).
1907. 7 Edw. 7, c. 9, Pt. III (Territorial and Reserve Forces).
1908. 8 Edw. 7, c. 2, ss. 4, 5 (Army Annual).

Reserve Forces Acts; extension of, to British Possessions	6Edw.7,c.11.
Army Act, 1881; application of provisions of	45-6V.c.48,ss.6,14(*2*). 15,16,17(*2*),18,19, 23,25,27. 7Edw.7,c.9,s.35.
Establishment, constitution and liability to service of	45-6V.c.48,s.3. 63-4V.c.42,s.1. 7Edw.7,c.9,ss.30,34.

ARMY RESERVE—*contd.*

Enlistment in British Possessions . . . . . 6Edw.7,c.11.

Enlistment in regulars . . . . . 44-5V.c.58,ss.77-9,87-90, 101(*2*). 53-4V.c.42,s.1. 54-5V.c.5,s.5.

" of special reservist in regulars . . . . . 7Edw.7,c.9,s.30(*6*).

Enlistment and re-engagement; procedure on, and term of service 45-6V.c.48,ss.4,14(*1*).

Attestation of men enlisting . . . . . 45-6V.c.48,s.18.

Residence of reserve men in British Possessions . . . 62-3V.c.40. 6Edw.7,c.11.

Annual training of . . . . . 45-6V.c. 48,s.11.

Training of, with volunteers . . . . . 53-4V.c.42,s.2.

Exemption of, from service as constable, etc. . . . . 45-6V.c.48,s.7.

Exemption from tolls, etc., and privileges as to conveyance . 45-6V.c.48,s.23.

Pensions of reserve men . . . . . 45-6V.c.48,s.22.

Calling out of, in aid of civil power . . . . . 45-6V.c.48,s.5.

" on permanent service . . . . . 45-6V.c.48,ss.12,13. 44-5V.c.58,s.88(*2*). 61-2V.c.9.

" of special reservists . . . . . 7Edw.7,c.9,s.32.

Offences; trial by court-martial or summary court and punishment for certain . . . . . 45-6V.c.48,ss.6,15-17,25,26.

Court of inquiry in case of illegal absence of reserve men . . 45-6V.c.48,s.19.

Orders and regulations . . . . . 45-6V.c.48,s.20. 6Edw.7,c.11,s.1(*2*).

Application of military law to . . . . . 45-6V.c.48,s.14(*2*).

Exercise of powers vested in holders of military office . . 45-6V.c.48,s.21.

Notices; provisions as to . . . . . 45-6V.c.48,s.24.

Special reservists . . . . . 7Edw.7,c.9,s.30.

liability of, to training and service . . . . 7Edw.7,c.9,ss.30(*2*), (*5*),31,32.

formation of, into battalions, etc. . . . . 7Edw.7,c.9,s.33.

Militia, transfer of, to army reserve . . . . . 7Edw.7,c.9,s.34.

ARNI JAGIR ACT, 1909 . . . . . Mad.Act6,1909.

Arni Jagir included in schedule to Mad. Act, 2, 1904 . . " s.2.

ARREAR OF LAND-REVENUE.

See cross-references from COLLECTION OF LAND-REVENUE.

ARREST.

General provisions as to. *See* CRIMINAL PROCEDURE (INDIAN), **4, 5.**

In execution of decrees; before judgment. *See* CIVIL PROCEDURE **2, 5.**

ART.

Copyright in paintings, drawings and photographs. *See* COPYRIGHT, **3, 5** (*a*).

ARTICLES OF WAR (INDIAN). (*See* INDIAN MILITARY AND NAVAL FORCES, III). [1]Act5,1869.

" " AMENDMENT ACT (INDIAN), 1894. (*See* INDIAN MILITARY AND NAVAL FORCES, III). [1]Act12,1894.

ASSAM.

Is a Scheduled District . . . . . Act14,1874,s.1,Sch.I,Pt.X. Act15,1874,s.2,Sch.VI,Pt.X.

[1] These Acts will be repealed on the coming into force of Act 8,1911.

ASSAM—*contd.*

Territorial operation of enactments, not affected by constitution of Province of Eastern Bengal and Assam . . . . . Act7,1905,s.2.

References in such enactments to 'Local Government,' 'Chief Controlling Revenue-authority,' 'Chief Revenue-authority,' certain functionaries, 'Chief Commissionership of Assam' and 'Gazette' to be construed to refer to 'Local Government,' 'Board of Revenue,' certain functionaries, 'province of Assam' and 'Gazette' in Eastern Bengal and Assam . . . . . Act7,1905,s.3,Sch.D, Pt.I.

Operation of enactments in, and power to settle boundaries of, certain parts of frontier tracts and other districts. *See* FRONTIER, A, 1.

See also EASTERN BENGAL AND ASSAM.

For further provisions enacted expressly for Assam, see the appropriate heads.

ASSAM FOREST REGULATION, 1891. (*See* FOREST) . . Reg.7,1891.

ASSAM FRONTIER TRACTS REGULATION, {1880, 1884}. (*See* DEREGULATION TRACTS; EUROPEAN BRITISH SUBJECT; FRONTIER) . . . . . Reg.2,1880. Reg.3,1884.

ASSAM FRONTIER TRACTS REGULATION (1880) AMENDMENT REGULATION, 1898 . . . . . Reg.2,1898.

ASSAM LABOUR AND EMIGRATION ACT, 1901. (*See* CONTRACT; EMIGRATION, B) . . . . . Act6,1901.

ASSAM LABOUR AND EMIGRATION (AMENDMENT) ACT, 1908 . . . . . Act11,1908.

ASSAM LAND AND RVENUE REGULATION, {1886, 1889}. (*See* ARBITRATION; FISHERY; LAND (IND. LAW); LAND-REVENUE, V; TAXES) . . . . . Reg.1,1886. Reg.2,1889.

ASSAM LAND AND REVENUE REGULATION (AMENDMENT) REGULATION, 1905 . . . . . Reg.2,1905.

ASSAM LOCAL RATES REGULATION, 1879 (*See* LOCAL RATES AND CESSES, A) . . . . . Reg.3,1879.

ASSAM MILITARY POLICE REGULATION, 1890. (*See* POLICE, IV) . . . . . Reg.4,1890.

ASSAM POLICE-OFFICERS REGULATION, 1883. (*See* POLICE, I) . . . . . Reg.2,1883.

ASSAULT. *See* CRIMINAL LAW (INDIAN), 14 (*b*).

ASSESSMENT OF LAND-REVENUE.

See LAND-REVENUE, II, 2; III, 3 (*b*); IV, V, A, 3 (*b*); V, B, 3 (*c*); VI; VII, A, 3, 4; B, C, 3; VIII, 3; IX, 2; X, 2: XI, 3 (*c*); XII, 4; XIII, 3 (*b*); XIV; XV, 3; XVI, 3.

ASSESSORS.

In criminal trials. *See* CRIMINAL PROCEDURE (INDIAN), 8 (6), 11, 12 (5).

ASSIGNMENT.

Act 28, 1866, declared in force throughout British India, except as regards the Scheduled Districts . . . . Act15,1874,s.3.

" " applies only to cases to which English law is applicable . . . . . Act28,1866,s.45.

Power to make assignment of moveable property, term for years of immoveable property, or estate by *elegit*, to self and others . " s.30.

ASSISTANT COLLECTOR.

See LAND-REVENUE, III, **2**; V, A, **2**; VII, A, **2**; VIII, **2**; XIII, **2**; XVI, **2**.

ASSOCIATION. *See* SOCIETY, **4**.

ASYLUM.

For lepers. *See* LEPER.

For lunatics. *See* LUNATIC, **4**.

ATTACHED ESTATES MANAGEMENT REGULATION (BENGAL), 1827.[1] [*See* ADMINISTRATION OF ESTATES, **6** (*a*)] . Ben.Reg.5,1827.

ATTACHMENT.

Power to attach estates, for reasons of State, without judicial trial . . . . . Ben.Reg.3,1818,s.9. Bom.Reg.25,1827,s.7. Mad.Reg.2,1819,s.9.

Management of such estates . . . . . Ben.Reg.3,1818,s.10. Bom.Reg.25,1827,s.8. Mad.Reg.2,1819,s.10.

Release of such estates from attachment . . . . . Ben.Reg.3,1818,s.11. Bom.Reg.25,1827,s.9. Mad.Reg.2,1819,s.11.

Local extent of the above Regulations. *See* STATE PRISONER.

In execution of decree in civil suit . . . . . Act5,1908,ss.51,60to64, Sch.1,O.21,App.E. Forms8,9,16to26.

Before judgment. *See* CIVIL PROCEDURE, **5**.

For recovery of land-revenue. *See cross references from* COLLECTION OF LAND-REVENUE.

For recovery of rent. *See* DISTRAINT.

Of illicit opium crop . . . . . Act1,1878,s.22.

Of property of absconding offender . . . . . Act5,1898,ss.88,89.

Of property being the subject of a dispute likely to cause a breach of the peace. *See* CRIMINAL PROCEDURE (Indian), 6(*d*).

ATTEMPTS TO COMMIT OFFENCES. *See* CRIMINAL LAW (INDIAN), **23**.

ATTENDANCE.

Of landholders and other persons before Revenue-authorities (Bengal and Eastern Bengal)—

Power of Board of Revenue to require attendance of landholders, tenants and officers . . . . . Ben.Reg.2,1793,s.33.[2]

Attendance before Collector of persons purchasing land at public sale, and of other persons . . . . . Ben.Reg.1,1801,s.10. " 12,1817,ss. 29,31,32. " 7,1822,s.19. " 9,1825,s.5(2).

[1] This short title was given by Act 5, 1897, s. 4.
[2] Ben. Reg. 2, 1793, is also in force in the District of Sylhet in Assam.

ATTENDANCE—*contd.*

Of landholders and other persons before Revenue-authorities (Bengal and Eastern Bengal)—*contd.*

Fine for non-attendance . . . . . Ben.Reg.2,1793,s.33. „ 12,1817,s.32. „ 2,1819,s.13(*3*). Act20,1848.

ATTORNEY. *See* SOLICITOR.

BAIL.

Excessive, not to be taken . . . . . Act5,1898,s.498.

Provisions as to. *See* CRIMINAL PROCEDURE (INDIAN), 12 (2).

BAILABLE OFFENCE defined. *See* WORDS AND PHRASES.

BAILMENT. *See* CONTRACT, 5 (*c*).

BALUCHISTAN. *See* BRITISH BALUCHISTAN.

BANK.

1. Presidency Banks.

Act 11, 1876, applies to Banks of Bengal, Bombay and Madras . Act11,1876,s.3.

„ „ and Act 5, 1879, declared in force in Upper Burma generally (except the Shan States) . . . Act13,1898,s.4,Sch.1.

Definitions . . . . . Act11,1876,s.3.

Constitution and incorporation of . . . . . „ ss.4to7,22.

Government servant may be member of . . . . . „ s.66.

Seal of, how used . . . . . „ s.8.

Contracts by, how made . . . . . „ s.9.

Capital of . . . . . „ ss.10to16.

Stock and shares of; provisions as to . . . . . „ ss.12,17to23.

Directors of . . . . . „ ss.24to32,64.

Officers of . . . . . „ ss.32to35.

What business may be transacted by . . . . . „ ss.36,37.

Power to take over business of certain other banks . . . „ s.42A.

To act as Government bankers . . . . . „ ss.36(*o*),38, 39.

Place of business, and branches . . . . . „ ss.40to42.

Accounts and dividends . . . . . „ ss.43,44.

„ audit of . . . . . „ ss.47,48.

Reserve fund . . . . . „ ss.45,46.

Meetings of proprietors and shareholders . . . . . „ ss.49to58.

Service of notices . . . . . „ ss.59to62.

By-laws; power of directors to make . . . . . „ s.63.

Legal proceedings . . . . . „ ss.64,65.

Power to wind up, under Indian Companies Act, 1882 . . . s. 67.

Confirmation of certain agreements between Government and Banks of Bengal and Madras . . . . . s.68.

2. Government Savings Banks.

Act 5, 1873, extends to whole of British India . . . . Act5,1873,s.1.

„ „ declared in force in—

the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

the Arakan Hill District . . . . . Reg.9,1874,s.3.

Upper Burma except the Shan States . . . Act13,1898,s.4.

BANK—*contd.*

2. Government Savings Banks—*contd.*

Definitions . . . . . Act5,1873,s.3.
Deposits in, belonging to estates of deceased persons :
Power of Secretary to pay, to person appearing entitled, if probate, letters of administration or certificate of administration not produced within three months of death . . „ s.4.
Right of executor, administrator or creditor to follow such payments . . . . . „ s.5.
Power of Secretary to take security from person to whom he makes payment . . . . . „ s.6.
Power of Secretary to administer oath to such person . . „ s.7
Such deposits when excluded in computing court-fees . . „ s.8.
Foregoing sections not to apply to deposits belonging to estates of European soldiers or deserters from army . . „ s.9.
Deposits in, belonging to minors : to whom payable . . „ s.10.
Deposits in, belonging to lunatics : to whom payable . . „ s.12.
Deposits in, made by married woman : may be paid to her . „ s.13
Power of Governor General in Council to make rules for working of Act . . . . . „ s.14

3. Military Savings Banks.

See ARMY, 7 (*e*).

BANK OF ENGLAND ACT, 1861, [1] (*See* FINANCE) . . 24-5V. c.3.
BANKERS' BOOKS EVIDENCE ACT 1891, 1893, 1900 (*See* EVIDENCE, II, 6.) Act18,1891. Act1,1893. Act12,1900.
BANKI LAWS ACT, 1881 (*See* BANKI) . . . . . Act25,1881.
BANKI.
Laws in force in Cuttack District to apply to . . . . . Act25,1881,s.2.
No longer a Scheduled District . . . . . „ s.4.
BANKRUPTCY ACT, 1883. (Ss.118, 119, *see* INSOLVENCY, A, 1, 4 ; B, 1.) 46-7V.c.52.
BAPTISMS. *See* REGISTRATION OF BIRTHS, ETC., A, 4.
BARRISTER. *See* ADVOCATE.
BATHING AND WASHING PLACES.
Regulation of, in municipalities :
See under MUNICIPALITY (*sub-heading* "The Public Health, Safety and Convenience").
See also BRITISH BALUCHISTAN, II, 6 (*i*).
BAZAR.
See BRITISH BALUCHISTAN, II.
See also STREETS, THOROUGHFARES AND PUBLIC PLACES.
BEERBHOOM.
Ghatwali Mahals. *See* LANDLORD AND TENANT, III, B ; LAND-REVENUE, III, 5.

[1] This short title was given by 59 & 60 Vict. c. 14.

BEGGARS.

Refuge for certain classes of convicted beggars; detention in refuge in lieu of imprisonment . . . . . (Cal.)Ben.Act4,1866, s.70A(ins.Ben.Act 3,1910,ss.18,20). (Cal.Sub.)Ben.Act2,1866, s.40A(ins.Ben.Act3,1910, s.19).

See also MUNICIPALITY; STREETS, THOROUGHFARES AND PUBLIC PLACES.

BENARES FAMILY DOMAINS ACT, 1881 . (*See* BENARES). Act14,1881.
" " " REGULATION, 1795 (*See* BENARES). Ben.Reg.15,1795.
" " " " 1828 (*See* BENARES). Ben.Reg.7,1828.
" " " Act 1904 (*See* BENARES: LAND-REVENUE, I.) .. . . U.P.Act3,1904.

BENARES INHERITANCE REGULATION, 1795. (*See* SUCCESSION) . . . . . Ben.Reg.44,1795.

BENARES PERMANENT SETTLEMENT REGULATION, 1794. 1795. (*See* PERMANENT SETTLEMENT) . . . . . Ben.Reg.1,1795. Ben.Reg.27,1795.

BENARES.

1. Family Domains of the Maharaja of Benares.

No longer a Scheduled District . . . . . Act14,1881,ss.14,15.

Courts receiving complaints in matters relating to land-revenue to refer parties to Maharaja; intervention of Collector . . Ben.Reg.15,1795,s.3.

Administration of justice in all matters connected with the revenue to continue to be conducted through the agency of the Maharaja . . . . . Ben.Reg.7,1828,s.4.

Definition of "Board of Revenue" and "Regulations" . . " s.25.

Superintendence of, vested in Commissioner of Benares . . " s.3.

Appointment and powers of Deputy Superintendent . . " s.3.

Settlement and assessment of land-revenue . . . . . " s.5.

Right to transfer land; notice to be given to Maharaja . . " s.6.

Revision of Maharaja's decisions by Superintendent; appeal to, and revision by, Board of Revenue . . . . . " s.7.

Realization of public revenue; application of general law of the North-Western Provinces . . . . . " ss.8to13.

Prohibition of torture, etc., to enforce arrears of revenue or rent " s.15.

Procedure for sale of land; application of general law of the North-Western Provinces . . . . . " ss.11to13.

Cognizance of complaints against Maharaja or his officers for breach of Regulations . . . . . " s.14.

Native Commissioners for taking cognizance of revenue cases; appointment, powers, etc., of . . . . . " ss.16to22.

Power of Local Government to make rules as to powers, etc., of Native Commissioners, and as to administration of the Family Domains . . . . . " s.22.

Partial application of Code of Civil Procedure . . . . .

Reference to Board of Revenue in case of doubt as to Judge's jurisdiction . . . . . " s.23.

Operation in the Family Domains of general enactments in force in the North-Western Provinces . . . . . " ss.9,11,24.

Validation of past orders, etc. . . . . Act14,1881,s.13.

BENARES—*contd.*

1. Family Domains of the Maharaja of Benares—*contd.*

[1]Acts 3,1878 ; 14,1883, not to apply to the Family Domains . .P.Act3,1904,s.13.
Assessment, recovery and disposal of certain rates on land in the Family Domains . . . . . „ ss.4to9, 12to14.
Family Domains Local Rates Fund ; rates realized to be credited to ; administration of . . . . . „ ss.10,11.

2. Miscellaneous.

Permanent settlement of land-revenue. *See* PERMANENT SETTLEMENT, 3.
Wills of Natives. *See* SUCCESSION, 8 (*c*).

BENGAL.

Transfer of certain districts to Eastern Bengal and Assam not to affect territorial operation of laws . . . . . Act7,1905,s.2.
BENGAL ALLUVION AND DILUVION ACT, 1847. (*See* ALLUVION AND DILUVION ; LAND-REVENUE, III, V ; SURVEY OF LAND). . . . . Act9,1847.
BENGAL ALLUVIAL LAND SETTLEMENT ACT, 1858. (*See* LAND-REVENUE, III, V) . . . . . Act31,1858.
BENGAL ALLUVION AND DILUVION REGULATION, 1825. (*See* ALLUVION AND DILUVION) . . . . . Ben.Reg.11,1825.
BENGAL ALLUVION (AMENDMENT) ACT, 1868. (*See* ALLUVION AND DILUVION). . . . . Ben.Act4,1868.
BENGAL ATTACHED ESTATES MANAGEMENT REGULATION, 1827. *See* ADMINISTRATION OF ESTATES (IND. LAW); DEBT . . . . . Ben.Reg.5,1827.
BENGAL BIRTHS AND DEATHS REGISTRATION ACT ; 1873. (*See* REGISTRATION OF BIRTHS, ETC.) . . . Ben.Act4,1873.
BENGAL BOARD OF REVENUE ACT, 1850. (*See* BOARD OF REVENUE ; LAND-REVENUE, III, V) . . . . . Act44,1850.
BENGAL BOARD OF REVENUE REGULATION, 1822. (*See* LAND-REVENUE, III, V) . . . . . Ben.Reg.3,1822.
BENGAL CESS (AMENDMENT) ACT, 1881 (No. 1) . . Act7,1881. 1881 (No. 2) . . Ben.Act2,1881. 1910 . . . Ben.Act4,1910.
BENGAL CHARITABLE ENDOWMENTS, PUBLIC BUILDINGS AND ESCHEATS REGULATION, 1810. (*See* ENDOWMENT ; ESCHEAT) . . . . . Ben.Reg.19,1810.
BENGAL CHAUKIDARI ACT, 1856. (*See* CRIMINAL PROCEDURE (IND.) 6(*f*); NUISANCE ; POLICE, II) . . . . Act20,1856.
BENGAL CHAUKIDARI (AMENDMENT) ACT, 1871 . Act22,1871.
BENGAL CIVIL COURT AMINS ACT, 1899. (*See* CIVIL COURT, III) . . . . . Ben.Act2,1899.
BENGAL CORRUPTION AND EXTORTION REGULATION, 1827. (*See* PUBLIC OFFICER) . . . . . Ben.Reg.3,1827.
BENGAL COURT OF WARDS (AMENDMENT) ACT, 1881 . Ben.Act3,1881.
BENGAL COURT OF WARDS (AMENDMENT) ACT, 1906 . Ben.Act1,1906.
BENGAL COURT OF WARDS (AMENDMENT) ACT, 1909 . Ben.Act2,1909.

Rep. by U. P. Acts 2 and 3, 1906, respectively.

BENGAL CRUELTY TO ANIMALS ACT, 1869. (*See* CRUELTY TO ANIMALS, 2) . . . . . Ben.Act1,1869.

BENGAL CRUELTY TO ANIMALS (ARREST) ACT, 1869. (*See* CRUELTY TO ANIMALS, 2) . . . . . Ben.Act3,1869.

BENGAL CRUELTY TO ANIMALS ACT, 1900 . . . . Ben.Act3,1900.

BENGAL DECENNIAL SETTLEMENT REGULATION, 1793. (*See* COURT; LANDLORD AND TENANT, II, III; LAND-REVENUE, III, V; PARTITION AND UNION, ETC.) . . . . Ben.Reg.8,1793.

BENGAL DISORDERLY HOUSES ACT, 1906. (*See* BROTHEL AND DISORDERLY HOUSE; DISORDERLY HOUSE) . . . Ben.Act3,1906.

BENGAL DISTRICTS ACT, 1836. (*See* LAND-REVENUE, III, V) . . . . . Act21,1836.

BENGAL DISTRICTS ACT, 1864. (*See* LAND-REVENUE, III, V) . . . . . Ben.Act4,1864.

BENGAL DRAINAGE ACT, 1880. (*See* DRAINAGE, I) . . Ben.Act6,1880.

BENGAL DRAINAGE (AMENDMENT) ACT, 1902. (*See* DRAINAGE, I) . . . . . Ben.Act2,1902.

BENGAL EASTERN FRONTIER REGULATION, 1873. (*See* FRONTIER) . . . . . Reg.5,1873.

BENGAL EMBANKMENT ACT, 1855. (*See* ARBITRATION; EMBANKMENT, I, A) . . . . . Act32,1855.

BENGAL EMBANKMENT ACT, 1866. (*See* EMBANKMENT, I, A) . . . . . Ben.Act7,1866.

BENGAL EMBANKMENT ACT, 1873. (*See* EMBANKMENT, I, B) Ben.Act6,1873.

BENGAL EMBANKMENT ACT, 1882. (*See* CANAL; DRAINAGE, I; EMBANKMENT, I; IRRIGATION, III). . . . . Ben.Act2,1882.

BENGAL EXCISE ACT, 1909. (*See* CANTONMENT; CRIMINAL PROCEDURE (IND.); CUSTOMS (INLAND); CUSTOMS (SEA); EXCISE; POLICE, I) . . . . . Ben.Act5,1909.

BENGAL FERRIES ACT, 1885. (*See* FERRY; LOCAL SELF-GOVERNMENT, III) . . . . . Ben.Act1,1885.

BENGAL FOREIGN IMMIGRANTS REGULATION, 1812. (*See* FOREIGNER) . . . . . Ben.Reg.11,1812.

BENGAL GENERAL CLAUSES ACT, 1899. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES) . . . . . Ben.Act1,1899.

BENGAL GHATWALI LANDS ACT, 1859. (*See* LANDLORD AND TENANT, III) . . . . . Act5,1859.

BENGAL GHATWALI LANDS REGULATION, 1814. (*See* LANDLORD AND TENANT, III; LAND-REVENUE, III) . . Ben.Reg.29,1814.

BENGAL GOVERNMENT INDEMNITY REGULATION, 1822. (*See* COURT; LAND-REVENUE, III, V) . . . . Ben.Reg.11,1822.

BENGAL INDIGO-CONTRACTS ACT, 1836. (*See* INDIGO) . . . . . Act10,1836.

BENGAL INDIGO-CONTRACTS REGULATION, 1823. (*See* INDIGO) . . . . . Ben.Reg.6,1823.

BENGAL INDIGO CONTRACTS REGULATION, 1830. (*See* INDIGO) . . . . . Ben.Reg.5,1830.

BENGAL INHERITANCE REGULATION, 1793. (*See* SUCCESSION) . . . . . Ben.Reg.11,1793.

BENGAL INHERITANCE REGULATION, 1800. *See* SUCCESSION) . . . . . Ben.Reg.10,1800.

BENGAL IRRIGATION ACT, 1876. (*See* DRAINAGE, I; IRRIGATION, III) . . . . . Ben.Act3,1876.

BENGAL KANUNGOS REGULATION, 1816. (*See* LAND-REVENUE, III, V; PATWARIS AND KANUNGOS) . . . Ben.Reg.5,1816.

BENGAL KANUNGOS AND PATWARIS REGULATION, 1819. (*See* LAND-REVENUE, III, V; PATWARIS AND KANUNGOS) . . . . . Ben.Reg.1,1819.

BENGAL LAND (CONDITIONAL SALES) REGULATION, 1798. (*See* MORTGAGE) . . . . . Ben.Reg.1,1798.

BENGAL LAND (REDEMPTION AND FORECLOSURE) REGULATION, 1806. (*See* MORTGAGE) . . . . Ben.Reg.17,1806.

BENGAL LAND REGISTRATION (AMENDMENT) ACT, 1878. . . . . Ben.Act5,1878.

BENGAL LAND REGISTRATION (AMENDMENT) ACT, 1906 . . . . . Ben.Act2,1906.

BENGAL LANDHOLDERS' ATTENDANCE ACT, 1848. (*See* ATTENDANCE) . . . . . Act20,1848.

BENGAL LAND-REVENUE SALES ACT, 1841. (*See* LAND-REVENUE, III, V) . . . . . Act12,1841.

BENGAL LAND-REVENUE SALES ACT, 1859. (*See* LAND-REVENUE, III, V; REGISTRATION OF LAND) . . . . Act11,1859.

BENGAL LAND-REVENUE REGULATION, 1793. (*See* ATTENDANCE; LAND-REVENUE, III, V) . . . . . Ben.Reg.2,1793.

BENGAL LAND-REVENUE ASSESSMENT REGULATION, 1801. (*See* ATTENDANCE; LAND-REVENUE, III, V; PERMANENT SETTLEMENT) . . . . . Ben.Reg.1,1801.

BENGAL LAND-REVENUE SALES REGULATION, 1812. (*See* LANDLORD AND TENANT, III; LAND-REVENUE, III, V) . Ben.Reg.5,1812.

BENGAL LAND-REVENUE ASSESSMENT (RESUMED LANDS) REGULATION, 1819. (*See* ATTENDANCE; LAND-REVENUE, III, V) . . . . . Ben.Reg.2,1819.

BENGAL LAND-REVENUE (ASSISTANT COLLECTORS) REGULATION, 1821. (*See* CIVIL COURT, III; LAND-REVENUE, III, V) . . . . . Ben.Reg.4,1821.

BENGAL LAND-REVENUE SETTLEMENT REGULATION, 1822. (*See* ARBITRATION; ATTENDANCE; LAND-REVENUE, III, V; PARTITION AND UNION, ETC.) . . . . . Ben.Reg.7,1822.

BENGAL LAND-REVENUE SETTLEMENT REGULATION, 1825. (*See* ATTENDANCE; LAND-REVENUE, III, V; WITNESS) Ben.Reg.9,1825.

BENGAL LAND-REVENUE SETTLEMENT (RESUMED KANUNGOS AND REVENUE-FREE LANDS) REGULATION, 1825. (*See* LAND-REVENUE, III, V; PATWARIS AND KANUNGOS) . . . . . Ben.Reg.13,1825.

BENGAL LAND-REVENUE ASSESSMENT (RESUMED LANDS) REGULATION, 1828. (*See* LAND-REVENUE, III, V; SUNDERBANS) . . . . . Ben.Reg.3,1828.

BENGAL LAND-REVENUE SETTLEMENT REGULATION, 1828. (*See* LAND-REVENUE, III, V) . . . . . Ben.Reg.4,1828.

BENGAL LAND-REVENUE (SETTLEMENT AND DEPUTY COLLECTORS) REGULATION, 1833. (*See* ARBITRATION; LAND-REVENUE, III, V, XVI) . . . . . Ben.Reg.9,1833.

BENGAL LAND-REVENUE SALES (AMENDMENT) ACT, 1862. (*See* LAND-REVENUE, III, V; REGISTRATION OF LAND) Ben.Act3,1862.

BENGAL LAND-REVENUE RESUMPTION ACT, 1862. (*See* LAND-REVENUE, III, V) . . . . . Ben.Act7,1862.

BENGAL LAND-REVENUE SETTLEMENT ACT, 1868. (*See* LAND-REVENUE, III, V) . . . . . Ben.Act3,1868.

BENGAL LAND-REVENUE SALES ACT, 1868. (*See* LAND-REVENUE, III, V) . . . . . Ben.Act7,1868.

BENGAL LAND-REVENUE SALES (AMENDMENT) ACT, 1871 . . . . . Ben.Act2,1871.

BENGAL LEASES AND LAND-REVENUE REGULATION, 1812. (*See* LANDLORD AND TENANT, III B; LAND-REVENUE, III; PARTITION AND UNION, ETC.) . . . . . Ben.Reg.18,1812.

BENGAL LEGISLATIVE COUNCIL (WITNESSES) ACT, 1866. (*See* GOVERNMENT OF INDIA) . . . . . Ben.Act3,1866.

BENGAL LOCAL SELF-GOVERNMENT ACT, 1885. (*See* ANIMAL; CANTONMENT; GOVERNMENT OF INDIA; LOCAL RATES AND CESSES; LOCAL SELF-GOVERNMENT, III; MUNICIPALITY, VI; VACCINATION) . . . . . Ben.Act3,1885.

BENGAL LOCAL SELF-GOVERNMENT (AMENDMENT) ACT, 1908 . . . . . Ben.Act5,1908.

BENGAL MILITARY POLICE ACT, 1892. (*See* POLICE, IV) . . . . . Act5,1892.

BENGAL MOTOR CAR AND CYCLE ACT, 1903. (*See* MOTOR CARS AND CYCLES) . . . . . Ben.Ac

BENGAL MUHAMMADAN MARRIAGES AND DIVORCES REGISTRATION ACT 1876. (*See* REGISTRATION OF BIRTHS, ETC.) . . . . . Ben.Act1,1876.

BENGAL MUNICIPAL (SLAUGHTER-HOUSES AND MEAT MARKETS) ACT, 1865. (*See* MUNICIPALITY, VI) . . Ben.Act7,1865.

BENGAL MUNICIPAL ACT, 1876. (*See* CANTONMENT; MUNICIPALITY, IV; POLICE, II) . . . . . Ben.Act5,1876.

BENGAL MUNICIPAL ACT, 1884. (*See* CANAL; CANTONMENT; LOCAL SELF-GOVERNMENT, III; MUNICIPALITY, VI; POLICE, II; SURVEY OF LAND) . . . . . Ben.Act3,1884.

BENGAL MUNICIPAL (AMENDMENT) ACT, 1886 . . Ben.Act3,1886.

BENGAL MUNICIPAL (AMENDMENT) ACT, 1894 . . Ben.Act4,1894.

BENGAL MUNICIPAL (AMENDMENT) ACT, 1896 . . Ben.Act2,1896.

BENGAL MUNICIPAL (AMENDMENT AND VALIDATION) ACT, 1910. (*See* MUNICIPALITY, VI) . . . . . Ben.Act2,1910.

BENGAL NATIVE REVENUE-OFFICERS REGULATION, 1794. (*See* LAND-REVENUE, III, V; PUBLIC OFFICER) . Ben.Reg.3,1794.

BENGAL PATNI TALUQS REGULATION, 1819. (*See* LANDLORD AND TENANT, III, IV) . . . . . Ben.Reg.8,1819.

BENGAL PATNI TALUQS REGULATION, 1820. (*See* LANDLORD AND TENANT, III, IV) . . . . . Ben.Reg.1,1820.

BENGAL PATWARIS REGULATION, 1817. [*See* ATTENDANCE; CRIMINAL LAW (IND.); LANDLORD AND TENANT, III, IV; PATWARIS AND KANUNGOS] . . . . . Ben.Reg.12,1817.

BENGAL PERMANENT SETTLEMENT REGULATION, 1793. (*See* PERMANENT SETTLEMENT) . . . . . Ben.Reg.1,1793.

BENGAL POLICE REGULATION, 1817. [*See* CRIMINAL PROCEDURE (IND.); OPIUM; POLICE, II] . . . . . Ben.Reg.20,1817.

BENGAL POLICE ACT, 1869. (*See* POLICE, I). Ben.Act7,1869.

BENGAL PORTS ACT, 1867 (*See* MUNICIPALITY, VI, VII; PORTS) . . . . . Ben.Act3,1867.
BENGAL PREVENTION OF INOCULATION ACT, 1865. (*See* VACCINATION) . . . . . Ben.Act4,1865.
BENGAL PUBIC DEMANDS RECOVERY (AMENDMENT) ACT, 1897 . . . . . Ben.Act1,1897.
BENGAL POLICE GAMBLING ACT, 1867. (*See* GAMING) . Ben.Act2,1867.
BENGAL PUBLIC PARKS ACT, 1904. (*See* HACKNEY CARRIAGE; MOTOR CARS AND CYCLES; PALANQUIN; PUBLIC PARK) . . . . . Ben.Act2,1904.
BENGAL RAIN GAMBLING ACT, 1867. (*See* GAMING; RAIN GAMBLING) . . . . . Ben.Act3,1897.
BENGAL RENT ACT, 1859. (*See* LANDLORD AND TENANT, III) . . . . . Act10,1859.
BENGAL RENT ACT, 1862. (*See* LANDLORD AND TENANT, III) Ben.Act6,1862.
BENGAL RENT (APPEALS) ACT, 1867. (*See* LANDLORD AND TENANT, III) . . . . . Ben.Act4,1867.
BENGAL RENT RECOVERY (UNDER-TENURES) ACT, 1865. (*See* LANDLORD AND TENANT, III, IV) . . . . . Ben.Act8,1865.
BENGAL RENT SETTLEMENT ACT, 1879. (*See* LANDLORD AND TENANT, III) . . . . . Ben.Act8,1879.
BENGAL REVENUE COMMISSIONERS REGULATION, 1829. (*See* LAND-REVENUE, III, V) . . . . . Ben.Reg.1,1829.
BENGAL REVENUE-FREE LANDS (NON-BADSHAHI GRANTS) REGULATION, 1793. (*See* LAND-REVENUE, III, V) . . . . . Ben.Reg.19,1793.
BENGAL REVENUE-FREE LANDS (BADSHAHI GRANTS) REGULATION, 1793. (*See* LAND-REVENUE, III, V) . . Ben.Reg.37,1793.
BENGAL REVENUE-FREE LANDS REGULATION, 1800. (*See* LAND-REVENUE, III, V) . . . . . Ben.Reg.8,1800.
BENGAL REVENUE-FREE LANDS REGULATION, 1825. (*See* LAND-REVENUE, III, V) . . . . . Ben.Reg.14,1825.
BENGAL SALT ACT, 1873. (*See* SALT) . . . . . Ben.Act1,1873.
BENGAL SANITARY DRAINAGE ACT, 1895. (*See* DRAINAGE, I) . . . . . Ben.Act8,1895.
BENGAL SATI REGULATION, 1829. (*See* HINDU WIDOW) . Ben.Reg.17,1829.
BENGAL SETTLED ESTATES ACT, 1904. (*See* LAND-REVENUE, III, V; SETTLED ESTATE) . . . . . Ben.Act3,1904.
BENGAL SMOKE NUISANCES ACT, 1905. (*See* CANTONMENT; SMOKE) . . . . . Ben.Act3,1905.
BENGAL STATE OFFENCES REGULATION, 1804. (*See* STATE OFFENCES) . . . . . Ben.Reg.10,1804.
BENGAL STATE PRISONERS REGULATION, 1818. (*See* ATTACHMENT; STATE PRISONER) . . . . . Ben.Reg.3,1818.
BENGAL STEAM-BOILERS AND PRIME-MOVERS ACT, 1879. (*See* STEAM-BOILERS AND PRIME-MOVERS) . . . Ben.Act3,1879.
BENGAL SURVEY ACT, 1875. (*See* SURVEY OF LAND) . . Ben.Act5,1875.
BENGAL TENANCY ACT, 1885. (*See* CANTONMENT; COURT OF WARDS, B; LANDLORD AND TENANT, III, IV; LOCAL AUTHORITY; MUNICIPALITY, VI; PUBLIC DEMANDS, III; RAILWAY) . . . . . Act8,1885.

BENGAL TENANCY (AMENDMENT) ACT, 1886 . . . Act8,1886.
BENGAL TENANCY (AMENDMENT) ACT, 1898. (*See* LANDLORD AND TENANT, III, IV) . . . . . Ben.Act3,1898.
BENGAL TENANCY (VALIDATION AND AMENDMENT) ACT, 1903. (*See* LANDLORD AND TENANT, III, IV) . . Ben.Act1,1903.
BENGAL TENANCY (AMENDMENT) ACT, 1907 . . . Ben.Act1,1907.
BENGAL TRAMWAYS ACT, 1883. (*See* TRAMWAY) . . Ben.Act3,1883.
BENGAL TRAMWAYS (AMENDMENT) ACT, 1904 . . Ben.Act1,1904.
BENGAL TROOPS TRANSPORT AND TRAVELLERS ASSISTANCE REGULATION, 1806. (*See* MARCHING TROOPS; TRAVELLER) . . . . . Ben.Reg.11,1806.
BENGAL TROOPS TRANSPORT REGULATION, 1825. (*See* MARCHING TROOPS) . . . . . Ben.Reg.6,1825.
BENGAL VACCINATION ACT, 1880. (*See* VACCINATION) . Ben.Act5,1880.
BENGAL VACCINATION (AMENDMENT) ACT, 1887. (*See* VACCINATION) . . . . . Ben.Act2,1887.
BENGAL VACCINATION (AMENDMENT) ACT, 1890. (*See* VACCINATION) . . . . . Ben.Act2,1890.
BENGAL VILLAGE-CHAUKIDARI ACT, 1871. (*See* POLICE, II, III) . . . . . Ben.Act1,1871.
BENGAL VILLAGE-CHAUKIDARI (AMENDMENT) ACT, 1886 . . . . . Ben.Act1,1886.
BENGAL VILLAGE-CHAUKIDARI (AMENDMENT) ACT, 1892 . . . . . Ben.Act1,1892.
BENGAL WILLS AND INTESTACY REGULATION, 1799. [*See* ADMINISTRATION OF ESTATES (IND. LAW); COURT OF WARDS, B; UNCLAIMED PROPERTY] . . . . . Ben.Reg.5,1799.
BENGAL, AGRA AND ASSAM CIVIL COURTS ACT, 1887. (*See* ADMINISTRATION OF ESTATES (IND. LAW); CIVIL COURTS, III; SEAL) . . . . . Act12,1887.
BENGAL AND ASSAM LAWS ACT, 1905. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES, I; ASSAM; BENGAL; BOARD OF REVENUE; CHITTAGONG HILL TRACTS; EASTERN BENGAL AND ASSAM; GAZETTE; HIGH COURT; LAND-REVENUE, V; SAMBALPUR) . . . . . Act7,1905.
BHAGDARI AND NARWADARI TENURES. (*See* LANDLORD AND TENANT, V, 3) . . . . . Bom.Act5,1862.
BHAGDARI AND NARWADARI TENURES ACT, 1910 . Bom.Act2,1910.
BHAVNAGAR ACT, 1876. (*See* BHAVNAGAR) . . . Act20,1876.
BHAVNAGAR.
Validation of cession of certain villages to . . . . . Act20,1876 s.2,Sch.
Act 20, 1876, not to affect jurisdiction of British Courts over persons resident or being beyond British India . . . ,, s.4.
BHUINHARI TENURES IN CHOTA NAGPUR. *See* LANDLORD AND TENANT, III, B.
BHUM. *See* SHIFTING CULTIVATION.
BIGAMY.
Penalty for . . . . . Act45,1860,ss.494,495. Act15,1865,ss.4,5,9. Act3,1872,s.16.
BIKRAMA SINGH'S ESTATES ACT, 1883 . . . . Act10,1883.

BILL OF EXCHANGE. *See* NEGOTIABLE INSTRUMENT.

BILL OF LADING.

Act 9, 1856, declared in force throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
Rights under, to vest in consignee or endorsee; savings	Act9,1856,ss.1,2.
In hands of consignee or endorsee for valuable consideration; conclusive evidence of shipment as against master, etc.	" s.9.

BIRD. *See* GAME.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1886. (*See* REGISTRATION OF BIRTHS, ETC.)	Act6,1886.
BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT (AMENDMENT) ACT, 1890	Act 16, 1890.
BISHOPS ACT (INDIAN), 1842[1]	5-6V.c.119.
" " " 1871[1]	34-5V.c.62.
BISHOPS AND COURTS ACT (INDIAN), 1823.[1] (*See* BISHOPS; HIGH COURT)	4G.4,c.71.

BISHOPS AND CLERGY.

1812-3.	53 G. 3, c. 155, ss. 49 to 53 (Bishops and Archdeacons).	1842.	5-6 V. c. 119 (Bishops).
1819.	59 G. 3, c. 60 (Ordination for Colonies).	1852.	15-6 V. c. 52 (Bishops).
1823.	4 G. 4, c. 71, ss. 3 to 6 (Bishops and Archdeacons).	1852-3.	16-7 V. c. 49 (Bishops).
1825.	6 G. 4, c. 85, ss. 5, 15 (Salaries, etc.).	1871.	34-5 V. c. 62 (Bishops).
1833.	3-4 W. 4, c. 85, ss. 89, 90, 92 to 94, 96 to 102 (Bishops and Clergy).	1874.	37-8 V. c. 77 (Bishops and Clergy).
		1880.	43 V. c. 3 (Salaries).

Appointment, salaries, pensions, allowances, etc., of Bishop of Calcutta and three Archdeacons	53G.3,c.155,ss.49,50,53. 4G.4,c.71,ss.3to5. 6G.4,c.85,ss.5,15. 3-4W.4,c.85,ss.98,99,101. 5-6V.c.119. 43V.c.3.
Power to constitute bishoprics of Madras and Bombay, and salaries, pensions, allowances, jurisdiction, etc., of Bishops and Archdeacons	3-4W.4,c.85,ss.89,90,92to94,96to101. 5-6V.c.119. 15-6V.c.52. 37-8V.c.77,s.13. 43V.c.3.
Bishop of Calcutta to be metropolitan	3-4W.4,c.85,s.94.
Provisions as to leave of absence of Bishops	34-5V.c.62. 43V.c.3.
Jurisdiction of Bishop of Calcutta	53G.3,c.155,ss.51,52. 3-4W.4,c.85,ss.93,94. 15-6V.c.52. 37-8V.c.77,s.13.
Admission to holy orders by Bishop of Calcutta	4G.4,c.71,s.6.
Power of bishops to ordain persons on commission from bishops in England	15-6V.c.52. 16-7V.c.49. 37-8V.c.77,s.8.
Consecration of persons to be bishops; oath	37-8V.c.77,s.12.
Ordination of clergy for colonies	59G.3,c 60,s.1.
Clergy not to officiate without permission of Bishop	37-8V.c.77,ss.3to7.

[1] This short title was given by 59 & 60 Vict. c. 14.

BISHOPS AND CLERGY—*contd.*

Two Chaplains of Church of Scotland to be on establishment of each Presidency . . . . . 3-4W.4,c.85,s.102.

BOARD OF REVENUE.

Sadr Board of Revenue (Bengal); style altered to "Board of Revenue" . . . . . Act44,1850,s(3).

Powers and duties in respect of customs, opium and salt transferred to . . . . . ,, s.2.

Constituted for Eastern Bengal and Assam; application of Ben. Reg. 3, 1822, and Act 44, 1850, to; powers and functions of . Act7,1905,s.4.

General powers, duties, etc., of (Bengal). *See* LAND-REVENUE, III, 2; OPIUM, II, 2; REGISTRATION OF LAND, I.

,, ,, ,, ,, (E. B. and A.). *See* EASTERN BENGAL AND ASSAM; LAND-REVENUE, V, A, 2; OPIUM, II, 2; REGISTRATION OF LAND, I.

,, ,, ,, ,, (Madras). *See* LAND-REVENUE, XIII, 2, XIV; REGISTRATION OF LAND, III, B; VILLAGE, F.

,, ,, ,, ,, (U. P.). *See* LAND-REVENUE, XVI, 2; OPIUM, II, 2.

To be Court of Wards . . . . . (Ben.,E.B.&A.)Ben.Act 9,1879,s.5. (Mad.)Mad.Act1,1902,s. 5;Mad.Reg.5,1804,s.2.[1] (U.P.)U.P.Act3,1899,s.4.

Divested of charge of religious endowments. *See* ENDOWMENT, 2.

Duties and powers of, in connection with charitable endowments and escheats. *See* ENDOWMENT, 1; ESCHEAT.

See also ASSAM.

BOATS.

In Bombay Harbour; regulation of. *See* PUBLIC CONVEYANCE.

Regulation of, in municipalities:

See under MUNICIPALITY, sub-heading "The Public Health, Safety and Convenience.")

See also MERCHANT SHIPPING, 7 (*a*).

BOILERS. *See* STEAM-BOILERS.

BOMBAY CIVIL FUND ACT, 1882[2]. [*See* GOVERNMENT OF INDIA, 2 (*d*)] . . . . . 45-6V.c.45.

BOMBAY ABKARI ACT, 1878. (*See* CANTONMENT; CUSTOMS, INLAND; EXCISE; MERCHANDISE MARKS; MUNICIPALITY, IX, 4) . . . . . Bom.Act5,1878.

BOMBAY ABKARI ACT AMENDMENT ACT, 1892. (*See* EXCISE) . . . . . Bom.Act3,1892.

BOMBAY ABKARI ACT AMENDMENT ACT, 1901 . . Bom.Act5,1901.

BOMBAY ABKARI (AMENDMENT) ACT, 1903 . . . Bom.Act1,1903.

BOMBAY BOILER INSPECTION ACT, 1891. (*See* STEAM-BOILERS AND PRIME-MOVERS) . . . . . Bom.Act2,1891,Am.,Bom. Act2,1897; Am.,Bom.Act2,1903.

BOMBAY CITY LAND-REVENUE ACT, 1876. (*See* LAND (IND. LAW); LAND-REVENUE, VII, VIII) . . . . Bom.Act2,1876.

[1] Rep. except in Scheduled Districts by Mad. Act 1,1902.
[2] This short title was given by 59 & 60 Vict. c. 14.

BOMBAY CIVIL COURTS ACT, 1869. (*See* CIVIL COURTS, VI; DISTRICT; PROCESS-FEES; PUBLIC OFFICER; SEAL) . . . Act14,1869.
BOMBAY CIVIL COURTS ACT, 1880 . . . . . Act9,1880.
BOMBAY CIVIL COURTS ACT AMENDMENT ACT, 1895 . Bom.Act3,1895.
BOMBAY CIVIL COURTS AMENDMENT ACT, 1900 . . Bom.Act1,1900.
BOMBAY COURT OF WARDS ACT, 1905. (*See* COURT OF WARDS) . . . . . Bom.Act1,1905.
BOMBAY DISTRICT MUNICIPAL ACT, 1901. (*See* ANIMAL; BROTHEL AND DISORDERLY HOUSE; CANTONMENT; DOG; LOCAL SELF-GOVERNMENT, IV; MUNICIPALITY, VIII) . . Bom.Act3,1901.
BOMBAY DISTRICT MUNICIPAL ACT (1901) AMENDMENT ACT, 1902 . . . . . Bom.Act3,1902.
BOMBAY DISTRICT POLICE ACT, 1867. (*See* NUISANCE) . Bom.Act7,1867.
BOMBAY DISTRICT POLICE ACT, 1890. (*See* ANIMAL, B; ARMS, AMMUNITION AND MILITARY STORES; BROTHEL AND DISORDERLY HOUSE; CRIMINAL LAW (IND.), 6; CRIMINAL PROCEDURE (IND.), 6; CRUELTY TO ANIMALS, 4; DISTURBED DISTRICT; DOG; FIRE, II; GAMING; INFECTIOUS DISEASE; MUNICIPALITY, VIII; NUISANCE; POLICE, I; SLAUGHTER OF ANIMALS; STREETS, THOROUGHFARES AND PUBLIC PLACES; UNCLAIMED PROPERTY; WATER) . . Bom.Act4,1890.
BOMBAY DISTRICT VACCINATION ACT, 1892. (*See* PRISON; VACCINATION) . . . . . Bom.Act1,1892.
BOMBAY FERRIES ACT, 1868. (*See* FERRY) . . . Bom.Act2,1868.
BOMBAY GENERAL CLAUSES ACT, 1904. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES) . . . . Bom.Act1,1904.
BOMBAY HEREDITARY OFFICES ACT. (*See* VILLAGE) . Bom.Act3,1874.
BOMBAY HEREDITARY OFFICES ACT, 1910 . . . Bom.Act3,1910.
BOMBAY HIGHWAY ACT, 1883. (*See* TAXES; TOLLS) . . Bom.Act1,1883.
BOMBAY HINDU HEIRS' RELIEF ACT, 1866. (*See* HINDU; HINDU WIDOW) . . . . . Bom.Act7,1866.
BOMBAY IRRIGATION ACT, 1879. (*See* DRAINAGE, II; IRRIGATION, IV) . . . . . Bom.Act7,1879.
BOMBAY LANDING AND WHARFAGE FEES ACT, 1882. [*See* CUSTOMS (SEA); PORT] . . . . . Bom.Act7,1882.
BOMBAY LAND RECORD OF RIGHTS ACT, 1903. [*See* LAND (IND. LAW), D; LAND REVENUE, VII] . . . Bom.Act4,1903.
BOMBAY LAND-REVENUE CODE, 1879. (*See* ARBITRATION; DISTRICT; DIVISION; FOREST; IRRIGATION, IV; LAND (IND. LAW); LANDLORD AND TENANT, V; LAND-REVENUE, VII, VIII; MINES AND MINERALS; REGISTRATION OF LAND; TREES; WATER) . . . . . Bom.Act5,1879.
BOMBAY LAND-REVENUE CODE AMENDMENT ACT, 1901. (*See* LAND-REVENUE, VII) . . . . . Bom.Act6,1901.
BOMBAY LOCAL BOARDS ACT, 1884. (*See* CANTONMENT; EDUCATION; LOCAL RATES AND CESSES, C; LOCAL SELF-GOVERNMENT, IV; MUNICIPALITY, VIII; TOLLS) . . . . Bom.Act1,1884.
BOMBAY LOCAL FUNDS ACT, 1869. (*See* LOCAL RATES AND CESSES, C). . . . . Bom.Act3,1869.
BOMBAY MOTOR VEHICLES ACT, 1904. (*See* MOTOR CARS AND CYCLES; MUNICIPALITY, IX; MUSIC) . . . . Bom.Act2,1904.

BOMBAY MUNICIPAL DEBENTURES ACT, 1876. (*See* MUNICIPALITY, IX) . . . . . Act15,1876.
BOMBAY MUNICIPAL SERVANTS ACT. (*See* MUNICIPALITY, VIII, IX) . . . . . Bom.Act 5,1890.
BOMBAY PORT TRUST ACT, 1879. [*See* CUSTOMS (SEA); MERCHANT SHIPPING; MUNICIPALITY, IX; PORT COMMISSIONERS, ETC.] . . . . . Bom.Act6,1879.
BOMBAY PORT TRUST (AMENDING BOMBAY ACT 6 OF 1879) . . . . . Bom.Act1,1881. Bom.Act3,1881. Bom.Act3,1883. Bom.Act6,1883.
BOMBAY PORT TRUST (AMENDING BOMBAY ACT 6 OF 1879) . . . . . Bom.Act1,1899.
BOMBAY PORT TRUST ACT AMENDMENT ACT, 1901 . Bom.Act2,1901.
BOMBAY PORT TRUST (AMENDMENT) ACT, 1910 . . Bom.Act4,1910.
BOMBAY PREVENTION OF ADULTERATION ACT, 1899. (*See* FOOD AND DRINK; MUNICIPALITY, IX) . . . Bom.Act2,1899.
BOMBAY PREVENTION OF GAMBLING ACT, 1887. (*See* GAMING) . . . . . Bom.Act4,1887.
BOMBAY PUBLIC AUTHORITIES SEALS ACT, 1883. (*See* SEAL) . . . . . Bom.Act5,1883.
BOMBAY REPEALING AND AMENDING ACT, 1905 . . Bom.Act4,1905.
BOMBAY REPEALING AND AMENDING ACT, 1910 . . Bom.Act1,1910.
BOMBAY REVENUE JURISDICTION ACT, 1876. (*See* INCUMBERED ESTATES, II; LAND (IND. LAW); LANDLORD AND TENANT, V; LAND-REVENUE, VI) . . . . . Act10,1876.
BOMBAY REVENUE JURISDICTION ACT, 1880 . . . Act15,1880.
BOMBAY SALT ACT, 1890. (*See* SALT) . . . . Bom.Act2,1890.
BOMBAY SURVEY AND SETTLEMENT ACT. (*See* LANDLORD AND TENANT, V; LAND-REVENUE, VII) . . . Bom.Act1,1865.
BOMBAY TRAMWAYS ACT, 1874. (*See* TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT) . . . . Bom.Act1,1874.
BOMBAY TRAMWAYS ACT AMENDMENT ACT, 1895 . Bom.Act2,1895.
BOMBAY TRAMWAYS (AMENDMENT) ACT, 1907 . . Bom.Act1,1907.
BOMBAY UNIVERSITY ACT, 1857. (*See* UNIVERSITY) . . Act22,1857.
BOMBAY VACCINATION ACT, 1877. (*See* VACCINATION) . Bom.Act1,1877.
BOMBAY VILLAGE POLICE ACT, 1867. (*See* CRIMINAL PROCEDURE (IND.) 6; CRUELTY TO ANIMALS, 4; POLICE, III; UNCLAIMED PROPERTY) . . . . . Bom.Act8,1867.
BOMBAY VILLAGE POLICE ACT AMENDMENT ACT, 1876. Bom.Act1,1876.
BOMBAY VILLAGE SANITATION ACT, 1889. (*See* NUISANCE; POLICE, III; VILLAGE) . . . . . Bom.Act1,1889.
BOOKS.
Copyright in. *See* COPYRIGHT, 1, 5 (*a*).
See also PRINTING PRESSES AND PUBLICATIONS.
BOUNDARIES ACT (BURMA), 1880 . . . . . Act5,1880.
" " AMENDMENT ACT (BURMA), 1895. (*See* BOUNDARIES AND SURVEY-MARKS) . Act2,1895.
BOUNDARIES.
Settlement of. *See* CHITTAGONG HILL TRACTS; FOREST, 8; FRONTIER, A, 1; C, 2.

BOUNDARIES—*contd.*

Provision of boundary-marks for railway . . . . . Act9,1890,s.13.

Ajmere: erection and repair of boundary-marks . . . . Reg.2,1877,s.106.

See LAND-REVENUE, V, B, 3 (*b*); VII, A, 5 (*c*); VIII, 4; XI, 3 (*a*), (*b*); XV, 3, 4 (*c*); XVI, 3, 4 (*c*).

Chittagong Hills . . . . . Reg.1,1900,s.2.

Burma, Coorg and Madras Presidency. *See* BOUNDARIES AND SURVEY-MARKS.

Scheduled Districts . . . . . Act14,1874,s.8.

Sundarbans. *See* SUNDARBANS.

BOUNDARIES AND SURVEY-MARKS.

1. Bengal.

See SURVEY OF LAND.

2. Burma.

Act 5, 1880, extends *proprio vigore* to Lower Burma . . . Act5,1880,s.1.

" " declared in force in Upper Burma, except the Shan States . . . . . Act13,1898,s.4,Sch.1.

Act 2, 1895, extends to the whole of Burma, except the Shan States . . . . . Act2,1895,s.1.

Definition of "survey-mark" . . . . . Act5,1880,s.1A.

Power to appoint, suspend and remove Demarcation-officers and Boundary-officers; their powers and duties . . . . " s.2.

Demarcation-officer or Boundary-officer to base his inquiry or order on fact of actual possession without reference to claim of title; procedure where fact of possession is doubtful or possession was wrongfully obtained within three months . " s.2A.

Power of Local Government to direct demarcation of boundaries of any land by Demarcation-officer . . . . . Act5,1880,s.3.

Power of Demarcation-officer—

to make enquiries and demarcate . . . . . " s.4.

to require attendance and information . . . . . " ss.5,6,9.

to require clearing of land or other assistance in making demarcation . . . . . " s.7.

Compensation payable for making clearance . . . . . " s.8.

Demarcation-officer to mark out boundaries and cause erection of boundary-marks by owners or occupiers of land . . " s.10.

Boundary-officer to invite and deal with objections to boundaries as determined by Demarcation-officer . . " ss.11,12.

" to pass order confirming or modifying such boundaries . . . . . " s.12.

" proceedings of, when objection made to such order . . . . . " ss.13,14.

" to have powers of Demarcation-officer and power to compel evidence . . . . " s.15.

" power of, to refer dispute to arbitration . . " s.16.

" orders of, when final; appeal . . . " ss.17,18, 20,21.

Boundary-marks: erection of, by Boundary-officer; apportionment of cost amongst owners or occupiers of land . Act5,1880,ss.22to24.

BOUNDARIES AND SURVEY-MARKS—*contd.*

Bombay-marks: preservation of, by owners or occupiers of land	Act5,1880,s.25.
" repair, etc., of, by order of Magistrate at cost of owner or occupier	" s.26.
" erection and repair of, under Land and Revenue Act	(L.B.)Act 2,1876,s.54.
Power to invest Survey-officer, for purposes of survey of any land, with powers of Demarcation-officer and Boundary-officer under Act	Act5,1880,s.28.
Duty of village-headman, thugyi and owner or occupier of land to prevent and report injury to boundary or survey-mark	" s.28A.
Power to perform act in default of person liable, and recover cost from him	" s.29.
Penalty for failure to discharge duty imposed, or neglecting to comply with order issued, under Act	" s.30.
Recovery of amounts due under Act	" s.31.
Power of Local Government to make rules for working of Act	" s.32.

3. Coorg.

See LAND-REVENUE.

4. Madras Presidency.

Mad. Act 4, 1897, extends throughout the Presidency of Madras	Mad.Act 4,1897,s.1(2).
Power of Collector or other officer to decide boundary disputes arising otherwise than in course of a survey and demarcate boundaries and to require owner, etc., to clear boundary-line and erect and maintain survey-marks	" ss.22to27.
Clearance of boundaries, laying down of boundaries and erection or repair of survey-marks when survey in progress, at cost of owners, etc.; cost to be borne by Government in certain exceptional cases	" ss.6to8,10, 11,17,18.
Restoration, etc., of mark by Collector or Survey-officer; at cost of owner, etc., of land	" ss.14,21,27.
Power to refer boundary-dispute to arbitration; procedure	" s.30.
Decision of Collector or Survey-officer in accordance with arbitrator's award to be conclusive	" s.30(3).
Marking out of boundary by Survey-officer, etc., when no reference to arbitration; appeal from his order	" ss.11,12,18,24.
Party to boundary-dispute may institute suit to establish right	" ss.13,25.
Appeal from orders imposing charge for expenses of survey, construction of survey-marks, etc.	" ss.16,18,20.
General power to enter land, summon witnesses, require production of documents	" ss.28,29.
Owners, etc., to be responsible for repair and maintenance of survey-marks	" ss.14,27.
Completion of survey of village to be reported or communicated	" ss.11(4),21 (i),24(3).
Power of Collector, etc., to require owners, etc., to construct or repair survey-marks, and in their default to execute work himself and assess charges on them; appeal	" ss.6to8,10, 16,18,20,21,27.
Power to make rules	" s.32.
Bar of suit for things done under Act in good faith	" s.33.

BOUNDARIES AND SURVEY-MARKS—*contd.*

5. Punjab, Boundaries of Riverain Estates.

See ALLUVION AND DILUVION.

BOUNTY. *See* CUSTOMS.

BRIBERY.

Included among Extradition Crimes. *See* EXTRADITION, 1.

BRIDGES.

Superintendence, repair, etc., of. *See* ENDOWMENT.

Tolls on. *See* TOLLS.

BRITISH BALUCHISTAN.

I.—GENERALLY.

Power to constitute districts and tahsils and vary limits thereof	Reg.1,1890,s.2.
What enactments in force in	„ s.3(*1*),(*2*), Sch.
Power to withdraw enactments from	„ s.3(*3*).
Acts 1 of 1872, 1 of 1879 and[1] 13 of 1889, and Reg. 9 of 1887, modified in	„ s.4.
Power for Courts to construe enactments with necessary alterations	„ s.5.
Validation of past acts and rules	„ ss.6,7.

II.—ADMINISTRATION OF CERTAIN BAZARS IN BRITISH BALUCHISTAN.

1. Preliminary.

Reg. 5, 1910, to extend to whole of British Baluchistan, but to be operative only in areas declared to be bazars	Reg.5,1910,s.1.
Definitions	„ ss.2,8(*2*).

2. Constitution and Government.

(*a*) CONSTITUTION OF BAZARS.

Power to create, alter limits of, or abolish bazar	„ s.3.
Effect of excluding local area from bazar	„ s.3(*3*).
Power to except bazar from operation of any section of Regulation	„ s.3(*1*).

(*b*) OFFICERS AND SERVANTS.

Appointment, pension and other allowances; Provident Fund	„ ss.4,5.
Penalty for officer or servant of bazar being interested in contract made with Deputy Commissioner	„ s.92.

3. Taxation.

Taxes which may be imposed	„ s. 8.
Procedure in imposing taxes	„ s. 11 (*1*).
Compounding for tolls	„ s. 8 (*1*), proviso.
Power to abolish or reduce tax	„ s.11(*2*).
„ to exempt person or property from taxation	„ s.12.
Scavenging-tax	„ s.9.
Water-tax	„ s.10.

[1] Rep. by Act 15, 1910.

BRITISH BALUCHISTAN—*contd.*

II.—ADMINISTRATION OF CERTAIN BAZARS IN BRITISH BALUCHISTAN—*contd.*

3. Taxation—*contd.*

Taxes not invalid for defect of form	Reg.5,1910,s.13.
„ when paid	„ s.14.
„ receipts to be given for	„ s.15.
Appeal against taxation: limitation	„ ss.16,17.
Taxation not to be questioned except under Regulation	„ s.18.
Recovery of taxes	„ ss.88(*1*), 97.
Octroi; search for and examination of articles liable to	„ ss.19,20.
„ presentation of bill for	„ s.21.
„ recovery of; seizure and sale of property	„ s.22.
„ Government property exempt from	„ s.8(*1*), proviso.
Existing taxes leviable under orders of Chief Commissioner or the Governor General in Council to be deemed taxes imposed under Regulation	„ s.23.
Power to make rules for assessment and recovery of taxes, fees, etc.	„ s.88(*1*)(*a*).

4. Bazar Fund and Property.

Bazar Fund; constitution, vesting and management of; certain fines realized under Act 5, 1861, s.34, or Prevention of Cruelty to Animals Act, 1890, to be credited to	„ s.24.
„ application of	„ s.25.
„ custody and investment of	„ ss.26,27.
„ disposal of, when area excluded from bazar	„ s.3(*3*).
„ compensation when payable out of	„ s.64.
Property purchased out of bazar fund vested in Chief Commissioner	„ s.24.
„ acquisition of land for bazar	„ s.94.
„ power to make rules for transfer, etc., of bazar property	„ s.88(*1*)(*c*).
„ disposal of, when area excluded from bazar	„ s.3(*3*).
Contract; authority of Deputy Commissioner to make contracts	„ s.6.
„ mode of making	„ s.6(*2*),(*3*).
„ penalty on officer or servant of bazar being interested in contract made with Deputy Commissioner	„ s.92.
Suit, etc., against Deputy Commissioner or officer or servant for acts done in good faith, barred	„ s.93.
Power to make rules as to the authority on which money may be paid out of bazar fund and for management, etc., of Provident Fund	„ s.88(*1*)(*b*).

5. Police.

Power to make rules as to the offences under the Regulation or rules which shall be cognizable by the police	Reg.5,1910,s.88(*1*)(*f*).

BRITISH BALUCHISTAN—*contd.*

II.—ADMINISTRATION OF CERTAIN BAZARS IN BRITISH BALUCHISTAN—*contd.*

6. The Public Health, Safety and Convenience.

(*a*) STREETS AND PUBLIC PLACES.
(*b*) BUILDINGS.
(*c*) DANGEROUS BUILDINGS, ETC.
(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.
(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.
(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.
(*g*) SCAVENGING.
(*h*) SLAUGHTER-PLACES.
(*i*) BATHING AND WASHING PLACES.
(*j*) WATER-SUPPLY.
(*k*) FOOD, DRINK AND DRUGS.
(*l*) RESTRAINT OF INFECTION.
(*m*) DISPOSAL OF THE DEAD.
(*n*) OFFENSIVE AND DANGEROUS TRADES.
(*o*) PREVENTION AND EXTINCTION OF FIRE.
(*p*) DANGEROUS ANIMALS.
(*q*) HACKNEY-CARRIAGES, ETC.
(*r*) ENTRY AND INSPECTION.
(*s*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.
(*t*) MISCELLANEOUS.

(*a*) STREETS AND PUBLIC PLACES.

Bazar Fund applicable to construction, maintenance, improvement, cleansing and repair of public streets, public bridges, and watering and lighting of streets	Reg.5,1910,	s.25(*2*)(*a*),(*b*).
Acquisition of land for building sites on sides of streets	,,	s.28.
Power to close, divert or discontinue streets	,,	s.29.
Power to permit temporary occupation of street or land, and charge fees therefor	,,	s.30.
Naming of streets; penalty for destroying or defacing name	,,	s.32.
Removal of structure, etc., encroaching on public street	,,	s.34.
Power to make rules for regulating traffic in streets	,,	s.88(*1*)(*d*).
Penalty for unlawfully placing earth, materials or offensive matter on street or public place	,,	s.69.
,, unlawfully discharging sewage on street or public place	,,	s.70.
,, driving vehicle without lights	,,	s 76.
,, not removing camel to a safe distance	,,	s 78.
,, unlawfully altering, obstructing or encroaching on street or public place	,,	s.81.
,, defacing or disturbing direction-post or lamp-post, or extinguishing light	,,	s.84.

See also below, (*p*), (*t*).

(*b*) BUILDINGS.

Power to attach brackets for lamps	,,	s.31.
Numbering of buildings; penalty for destroying or defacing number	,,	s.32
Regulation of new building; compensation	,,	s.33.
Power to require alteration, demolition, etc., of building unlawfully erected, re-erected, etc.; penalty	,,	s.33(*2*).
Removal of projections and overhanging structures	,,	s.34.
Putting up and maintaining troughs and pipes for rain-water	,,	s.47.

See also below, (*c*), (*d*), (*g*), (*r*).

BRITISH BALUCHISTAN—*contd.*

II.—ADMINISTRATION OF CERTAIN BAZARS IN BRITISH BALUCHISTAN—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*c*) DANGEROUS BUILDINGS, ETC.

Repair, protection or enclosing of dangerous building, well, tank or excavation	Reg.	5, 1910, s.53.
Removal or repair of dangerous or ruinous building, wall or structure	,,	s.54.

(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.

Clearing away noxious vegetation or undergrowth	,,	s.55.
Cutting or trimming of hedges bordering on street or branches overhanging street or source of public water-supply	,,	s.56.
Cleansing of filthy building or land	,,	ss.52,57.
Power to prohibit use for human habitation of building unfit for such use	,,	s.58.
Securing or enclosing of untenanted building or land becoming a nuisance	,,	s.59.
Prohibition or regulation of cultivation, use of manure or irrigation injurious to health; compensation; penalty	,,	s.60.

(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

Places for deposit, and directions for removal, of rubbish, offensive matter and carcasses of animals	,,	s.36.

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Bazar Fund applicable to construction, etc., of public drains, latrines and water-courses	,,	s.25(2)(*a*).
Provision of privy or cesspool	,,	s.48(*1*).
Provision and maintenance of latrines and urinals for workmen	,,	s.48(*3*).
Shutting out of privy from view, etc.	,,	s.48(*2*).
Repair of privy, drain or cesspool; closing of cesspool	,,	s.49.
Removal of privy, drain or cesspool	,,	s.49(*2*).
Unauthorized building, etc., over, or encroaching on, sewer, drain or aqueduct	,,	ss.34,50.
Removal or closing of drain, latrine, urinal, cesspool or other receptacle near source of water-supply; penalty	,,	ss.51,73.
Penalty for unlawfully placing earth, materials or offensive matter in public sewer or drain or into drain communicating therewith	,,	s.69.
,, ,, unlawfully discharging sewage into drain	,,	s.70.
,, ,, failing to remove offensive matter, or not keeping same in proper receptacle, or keeping receptacle in filthy state	,,	s.71.
,, ,, making or altering drain without proper authority	,,	s.72.
,, ,, unlawfully altering, obstructing or encroaching on drain	,,	s.81.

See also below, (*r*).

(*g*) SCAVENGING.

Power of Deputy Commissioner to provide for scavenging by his own agents; entry for performance and supervision of scavenging		s.45.

BRITISH BALUCHISTAN—*contd.*

II.—ADMINISTRATION OF CERTAIN BAZARS IN BRITISH BALUCHISTAN—*contd.*

6. The Public Health, Safety and Convenience —*contd.*

(*h*) SLAUGHTER-PLACES.

Places for slaughter of animals for sale; penalty for slaughter elsewhere	Reg. 5,	s.1910,37.
See also below, (*k*).		

(*i*) BATHING AND WASHING PLACES.

Establishment and regulation of	,,	s.35

(*j*) WATER-SUPPLY.

Municipal Fund applicable to supply, storage and preservation of water	,,	s.25(2).
Unauthorised building over watercourse or water-pipe	,,	s.50.
Removal or closing of drain, latrine, urinal, cesspool or other receptacle near source of water-supply	,,	s.51.
Cleansing, repair, covering, filling-up or draining-off of private tank, well, reservoir, pool or excavation injurious to health or offensive	,,	s.52.
Penalty for making or keeping drain, latrine, etc., near source of public water-supply	,,	s.73.

(*k*) FOOD, DRINK AND DRUGS.

Bazar Fund applicable to construction, etc., of markets	,,	s.25(2)(*c*).
Power to— inspect market or other place used for sale or storage of articles for human consumption, or as a slaughter-house, or for the sale of drugs; seize and remove or destroy articles unfit for human consumption; remove noxious or adulterated drug; bring such articles before Magistrate	,,	s.44.
Power to make by-laws regulating sale and transport of articles for human consumption	,,	s.68.
Penalty for feeding dairy or slaughter animals on deleterious substance	,,	s.75

(*l*) RESTRAINT OF INFECTION.

Cholera, small-pox or plague; information to be given of	,,	s.65.
,, ,, ,, removal of patient to hospital	,,	s.66.
Prohibition of use of unwholesome water for drinking purposes	,,	s.67.
See also (*k*).		

(*m*) DISPOSAL OF THE DEAD.

Power of Deputy Commissioner to close existing burial or burning place	,,	s.38.
Permission of Deputy Commissioner required to forming of new burial or burning place	,,	s.38(3).
Routes for removal of corpses	,,	s 38(5).
Penalty for carrying corpse along prohibited route or so as to cause annoyance to public	,,	s.83.

BRITISH BALUCHISTAN—*contd.*

II.—ADMINISTRATION OF CERTAIN BAZARS IN BRITISH BALUCHISTAN—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*n*) OFFENSIVE AND DANGERS TRADES.

Regulation or prohibition of; penalties; suspension of prosecution pending appeal		Reg.5,1910,ss.61,62.

(*o*) PREVENTION AND EXTINCTION OF FIRE.

Power to prevent stacking or collecting straw, wood or other inflammable materials, or placing of mats or thatched huts; or lighting of fires in any place	,,	s.39.
Power to regulate or prohibit trading in hay, straw, thatching grass, wood, coal, or other highly inflammable material	,,	ss.61,62.
Power to regulate the storage of petroleum or other inflammable or explosive material	,,	ss.61,62.

See also below, (*r*).

(*p*) DANGEROUS ANIMALS.

Bazar Fund applicable to destruction of stray and ownerless dogs	,,	s.25(2)(*h*).
Destruction or confinement of mad or stray dogs	,,	s.80.
Penalty for suffering dogs to be at large unmuzzled	,,	s.79.

(*q*) HACKNEY-CARRIAGES, ETC.

Power to make bye-laws for licensing of vehicles, drawn by animals or persons; limiting the rates for hire of carriages	,,	s.88(2).

(*r*) ENTRY AND INSPECTION.

Power to enter building or land and inspect drains, privies or cesspools; opening of ground to prevent or remove nuisance; payment of expenses; notice of entry	,,	s.40.
,, ,, enter building and direct cleansing for sanitary reasons; notice of entry	,,	s.41.
,, ,, enter building or land for making survey or valuation, for examining works under construction, for ascertaining course of sewers or drains, or for executing or repairing work; notice of entry	,,	s.42.
,, ,, enter for discovery of vehicles or animals liable to taxation	,,	s.43.
Precautions to be observed in entering dwelling	,,	s.46.

See also above, (*k*).

(*s*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.

Bazar Fund applicable to	,,	s.25(2).
Power to make rules for registration of births, marriages and deaths and for the taking of a census	,,	s.88(*l*)(*e*).

(*t*) MISCELLANEOUS.

Delegation of powers of Deputy Commissioner under Chapters V and VI (ss. 28 to 85); appeal	,,	s.7.

BRITISH BALUCHISTAN—*concld.*

II.—ADMINISTRATION OF CERTAIN BAZARS IN BRITISH BALUCHISTAN—*concld.*

6. The Public Health, Safety and Convenience—*concld.*

(*t*) MISCELLANEOUS—*contd.*

Bazar Fund applicable to—		
construction, etc., of rest-houses, gardens, pounds and other works of public utility	Reg. 5,1910,	s.25(*2*)(*c*), (*d*).
grants-in-aid to schools, hospitals, dispensaries, poor-houses, leper asylums, etc.	Reg. 5,1910,	s.25(*2*)(*c*), (*d*).
planting and preservation of trees	,,	s.25(*2*).
public vaccination	,,	s.25(*2*).
sanitary measures	,,	s.25(*2*).
things likely to promote safety, health, welfare or convenience of inhabitants	,,	s.25(*2*).
any other matter, declared by Deputy Commissioner with sanction of Commissioner to be an appropriate charge on Bazar Fund	,,	s.25(*2*).
Vaccination ; power to apply Vaccination Act, 1880, to bazar	,,	s.87.
,, power to make rules for the regulation of	,,	s. 88(*1*)(*e*).
Power to make rules for controlling public processions and music	,,	s.88(*1*) (*d*).
Penalty for discharging fire-arms or letting-off fire-works or fire-balloons or engaging in dangerous game	,,	s.77.
Penalty for picketing animals, collecting carts, etc., suffering animals to be at large	,,	s.82.
Penalty for not complying with notice or conditions ; suspension of prosecution pending appeal	,,	s.85.
Brothels : power to suppress ; penalty	,,	s.91.
Power to make rules for suppression of mendicancy, loitering, etc., for prostitution, and for removal of disorderly persons	,,	s.89.
Penalty for breach of rules or bye-laws	,,	s.90.

7. Supplemental.

Control of Commissioner and Chief Commissioner	,,	s. 86.
Rules ; powers for making	,,	ss.88,89.
Bye-laws ; powers for making	,,	s.88(*2*).
Rules or bye-laws ; penalties for breach of	,,	s.90.
Notice to fix reasonable time for doing act	,,	s.63.
Compensation when payable out of Bazar Fund ; application of procedure of Land Acquisition Act for settlement of disputes	,,	s.64.
Prosecutions by whom to be initiated	,,	s.96
Judge or Magistrate not to be deemed interested merely for having, as Deputy Commissioner, approved prosecution	,,	s.95.
Irregularities not to invalidate proceedings	,,	s.98.
Validation of acts done before commencement of Regulation	,,	s.99.

For further provisions specially enacted for British Baluchistan see the appropriate heads.

BRITISH BALUCHISTAN BAZAR REGULATION, 1910 (*See* BRITISH BALUCHISTAN ; CANTONMENT ; VACCINATION, V)	Reg.5,1910.
BRITISH BALUCHISTAN CIVIL JUSTICE REGULATION, 1896 (*See* CIVIL COURTS, VII ; CIVIL PROCEDURE, 12 ; INTEREST ; LEGAL PRACTITIONER ; MATRIMONIAL CAUSES)	Reg.9,1896.
BRITISH BALUCHISTAN CRIMINAL JUSTICE REGULATION, 1896. (*See* CRIMINAL PROCEDURE, 13)	Reg.8,1896.

BRITISH BALUCHISTAN FOREST REGULATION, 1890 (*See* FOREST) . . . . . Reg.5,1890.

BRITISH BALUCHISTAN LAWS REGULATION, 1890 [*See* ACTS AND REGULATION OF INDIAN LEGISLATURES, 1; ADMINISTRATION OF ESTATES (IND. LAW); ADMINISTRATOR GENERAL; AGENCY; ANIMAL, B.; BRITISH BALUCHISTAN; CANTONMENT; CIVIL PROCEDURE, 12; CONTRACT; COURT-FEES; CRIMINAL LAW (IND.), 25; DEREGULATIONISED TRACTS; DESIGNS; DISTRICT; DISTURBED DISTRICT; EVIDENCE, II; FOREIGN ENLISTMENT; FOREIGNER; FRONTIER; INDIAN MILITARY AND NAVAL FORCES; INDIAN RESERVE FORCES; INVENTIONS; LUNATIC; MARRIAGE; MATRIMONIAL CAUSES; OATH AND AFFIRMATION; OFFICIAL SECRETS; OPIUM; PARTNERSHIP; PENSIONS AND GOVERNMENT GRANTS; POLICE, I; PREVENTIVE RELIEF; PUBLIC OFFICER; PUBLIC WORKS; RAILWAY; REGISTRATION OF BIRTHS, ETC.; SALT; SCHEDULED DISTRICTS; SLAVERY; SMALL CAUSE COURTS, B; SPECIFIC RELIEF; STATE PRISONER; SUCCESSION; TELEGRAPH; VAGRANT; VALUATION OF SUITS; VOLUNTEERS] . Reg.1,1890.

BRITISH BURMA PILOTS ACT, 1883. (*See* MERCHANT SHIPPING) . . . . . Act12,1883.

BRITISH BURMA PILOTS ACT AMENDMENT ACT, 1908 (*See* MERCHANT SHIPPING) . . . . . Bur.Act5,1908.

BRITISH BURMA, AND BRITISH BURMA GAZETTE.
Construction of references to. *See* BURMA.

BRITISH INDIA Defined. *See* WORDS AND PHRASES.

BRITISH LAW ASCERTAINMENT ACT, 1859.[1] (*See* LAW.) 22-3V.c.63.

BRITISH NATIONALITY ACT {1730. 1772.} (*See* BRITISH SUBJECT). 4G.2,c.21. 13G.3,c.21.

BRITISH POSSESSION defined. *See* WORDS AND PHRASES. *See also* MEDICAL PRACTITIONER.

BRITISH SETTLEMENTS ACT, 1887 (*See* BRITISH SETTLEMENT; COURT . . . . . 50-1V.c.54.

BRITISH SETTLEMENT.
Power of Her Majesty in Council to make laws for and constitute Courts in . . . . . 50-1V.c.54.
Delegation of power by Her Majesty . . . . . 50-1V.c.54,s.3.

BRITISH SUBJECT.

1707 7 A. c. 5, s. 3 (Children born out of Allegiance).
1730. 4 G. 2, c. 21 (Children born out of Allegiance).
1772 13 G. 3, c. 21 (Children born out of Allegiance).
1870. 33-4 V. c. 14[2] [3](Naturalization).
,, 33-4 V. c. 102[2] (Naturalization).
1872. 35-6 V. c. 39[3] (Naturalization).
1895. 58-9 V. c. 43 (Naturalization).

1. Children born out of Allegiance.
2. Declaration of Alienage, Expatriation and Resumption of Nationality.
3. Miscellaneous.

See also ALIEN.

1. Children born out of Allegiance.

Children of natural-born subject born out of England declared to be natural-born subjects; exceptions . . . . . 7A.c.5,s.3. 4G.2,c.21. 13G.3,c.21.

See also, as to status of married women and children, *below*, 2 (*d*).

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] Collective title ("Naturalization Act, 1870") given by 33 & 34 Vict., c. 104.
[3] Collective title ("Naturalization Acts, 1870 to 1872") given by 35 & 36 Vict., c. 39.

BRITISH SUBJECT—*contd.*

2. Declaration of Alienage, Expatriation and Resumption of Nationality.

A.—DECLARATION OF ALIENAGE.

Power of subject born in Her Majesty's dominions, but at birth a subject of a foreign State under the law of such State, or child born out of Her Majesty's dominions of father being a British subject, to make declaration of alienage . . . . . 33-4V.c.14,s.4.

B.—EXPATRIATION.

British subject voluntarily naturalized in foreign State to cease to be British subject, and to be statutory alien . . . „ s.6.

British subject becoming alien not discharged from liability in respect of former acts . . . . . „ s.15.

C.—RESUMPTION OF NATIONALITY.

Certificate of re-admission of statutory alien to British nationality . . . . . „ s.8.

„ in case of widow being British-born subject, but rendered alien by marriage . . . . . „ s.10.

Oath of allegiance; taking of, by person re-admitted; form of and regulations as to . . . . . „ ss.8,9. 33-4V.c.102,s.1.

Confirmation of renunciation of naturalization in United States, under convention . . . . . 35-6V.c.39,s.2,Sch.

D.—SUPPLEMENTAL.

Married women, national status of . . . . . 33-4V.c.14,s.10.

„ „ rights of, to property, previous to passing of Act of 1870, not affected thereby . . . 35-6V.c.39,s.3.

Children; effect on status of, of parent becoming alien, or being re-admitted to British nationality . . . . . 33-4V.c.14,s.10. 58-9V.c.43.

Power of Secretary of State to make regulations—

as to declarations and certificates, and fees . . . . 33-4V.c.14,s.11.

as to administration, etc., of oath of allegiance, and fees „ c.102,s.1.

Evidence of declarations, certificates, and regulations . . „ c.14,s.12.

Penalty for false declaration . . . . . „ c.102,s.2.

3. Miscellaneous.

Marriage of; outside United Kingdom. *See* MARRIAGE, I.

Trial of, in British India for offences committed elsewhere. *See* CRIMINAL PROCEDURE (INDIAN), 8 (1).

Execution of will of personal estate abroad. *See* DOMICILE.

Retention of domicile for purpose of testate or intestate succession as to moveables by British subject resident and dying abroad. *See* DOMICILE.

BROACH AND KAIRA INCUMBERED ESTATES ACT, 1877 Act14,1877. 1881 Act21,1881. *See* (INCUMBERED ESTATES, III) . . . . . .

BROTHEL AND DISORDERLY HOUSE.

Power of Magistrate to order discontinuance of; penalty . . (Bom Dists.)Bom.Act4, 1890,ss.41,50,67. (How.)Act21,1857,ss.1,7.

Power of Commissioner of Police to order discontinuance of . . (Bom.Town)Bom.Act4, 1902,ss.28,129. (Mad.City)Mad.Act3, 1888,s.52.

BROTHEL AND DISORDERLY HOUSE—*contd.*

Power of Magistrate or Commissioner of Police to order discontinuance of; penalty . . . . . (Cal.)Ben.Act4,1866, ss.43,43A,43B(sub.Ben. Act3.1907,s.2). (Cal.Sub.)Ben.Act2, 1866,ss.17,17A,17B(sub. Ben.Act3,1907,s.2). (Ran.)Bur.Act4,1899, ss.43A,43B.

Power to suppress, in Bengal Municipalities and notified areas (except where Ben. Act 2, 1866, is in force) . . . Ben.Act3,1906,s.2. Ben.Act3,1907.

" " " in Bombay Municipalities and notified areas (if near cantonment or specially applied) . . . Bom.Act 3,1901,s.153.

" " " in Burma Municipalities and notified areas (if specially applied) . . . . . Bur.Act3,1898,ss.181, 181A.

Right to determine lease of house, etc., used as . . . (Cal.)Ben.Act4,1866, s.43B(ins.Ben.Act3, 1907,s.2). (Cal.Sub.)Ben.Act2,1866, s.17B(ins.Ben.Act3, 1907,s.2).

Power to suppress, in Punjab Municipalities . . . . . Act 20, 1891, s. 204.

See also BRITISH BALUCHISTAN, II, 6 (*t*); DISORDERLY HOUSE; MUNICIPALITY.

BUILDINGS.

See CRIMINAL LAW (IND.), 12; GOVERNMENT BUILDINGS; PUBLIC BUILDINGS.

Superintendence, repair and maintenance of, by Board of Revenue. *See* ENDOWMENT.

Regulation of, in Aden . . . . . Reg.7,1900,s.13.

Regulation of, in bazars in British Baluchistan. *See* BRITISH BALUCHISTAN, II, 6 (*b*).

Regulation of, in municipalities:

See under MUNICIPALITY (*sub-heading* "The Public health, Safety and Convenience").

Exemption of Government buildings from municipal regulations. *See* MUNICIPALITY, I.

BUNDELKHAND ALIENATION OF LAND ACT, 1903 (*See* INCUMBERED ESTATES, VII; LAND (IND. LAW), K; LAND-REVENUE, XVI; LEGAL PRACTITIONER) . . . . . U.P.Act2,1903.

BUNDELKHAND INCUMBERED ESTATES ACT, 1903. (*See* COURT OF WARDS, F; INCUMBERED ESTATES, VII) . . . U.P.Act1,1903.

BURIAL BOARDS ACT (CALCUTTA), 1881. [*See* DISPOSAL OF THE DEAD, 1 (*a*)] . . . . . Ben.Act5,1881.

BURIAL. *See* DISPOSAL OF THE DEAD; REGISTRATION OF BIRTHS, ETC., A, 4.

BURMA BOUNDARIES ACT, 1880 (*See* BOUNDARIES AND SURVEY-MARKS) . . . . . Act5,1880.

BURMA BOUNDARIES ACT AMENDMENT ACT, 1895 (*See* BOUNDARIES AND SURVEY MARKS) . . . . . Act2,1895.

BURMA BOUNDARIES ACT (1880) AMENDMENT ACT, 1909. . . . . Bur.Act3,1909.

BURMA CANAL ACT, 1905 (*See* CANAL; DRAINAGE, III; IRRIGATION, II) . . . . . Bur.Act2,1905.

BURMA COAST LIGHTS ACT, 1879 (*See* MERCHANT SHIPPING) Act9,1879

BURMA DEFILE TRAFFIC ACT, 1907 (*See* NAVIGATION) . Bur.Act8,1907.

BURMA DISTRICT CESSES AND RURAL POLICE ACT, 1880 (*See* LOCAL RATES AND CESSES, D; REGISTRATION OF BIRTHS, ETC.) . . . . . Act2,1880.
BURMA EMBANKMENT ACT, 1877 (*See* EMBANKMENT, II) Act13,1877.
BURMA EMBANKMENT ACT, 1909 (*See* EMBANKMENT, II) . Bur.Act4,1909.
BURMA EXCISE LAW AMENDMENT ACT, 1904. (*See* EXCISE) . . . . . Bur.Act3,1904.
BURMA FERRIES ACT, 1898 (*See* CANTONMENT; FERRY) . Bur.Act2,1898.
BURMA FINANCIAL COMMISSIONER'S ACT, 1888 (*See* FINANCIAL COMMISSIONER, BURMA) . . . . . Act18,1888.
BURMA FISHERIES ACT, 1905 (*See* FISHERY) . . . Bur.Act3,1905.
BURMA FISHERIES (AMENDMENT) ACT, 1909 . . . Bur.Act6,1909.
BURMA FOREST ACT, 1902. [*See* FOREST; LAND (IND. LAW) E] . . . . . Bur.Act4,1902.
BURMA FOREST ACT (AMENDMENT) ACT, 1906 . . Bur.Act4,1906.
BURMA FRONTIER TRIBES REGULATION, 1896 (*See* FRONTIER) . . . . . Reg.2,1896.
BURMA GAMBLING ACT, 1899 (*See* CRIMINAL PROCEDURE (IND.); GAMING) . . . . . Bur.Act1,1899.
BURMA GAMBLING ACT, 1905 . . . . . Bur.Act1,1905.
BURMA GENERAL CLAUSES ACT, 1898 (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES; DEREGULATIONISED TRACTS) . . . . . Bur.Act1,1898.
BURMA HIGHWAY ACT, 1907. (*See* HIGHWAY) . . . Bur.Act5,1907.
BURMA LAND AND REVENUE ACT, 1876. [*See* BOUNDARIES AND SURVEY-MARKS; CAPITATION TAX AND LAND RATE, ETC.; FOREST; LAND (IND. LAW), E; LAND-REVENUE, IX; MINES AND MINERALS; SALT] . . . . . Act2,1876.
BURMA LAWS ACT, 1898 [*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES; ADMINISTRATION OF ESTATES (IND. LAW); ADMINISTRATOR GENERAL; AGENCY; ALIEN; ANIMAL; APPRENTICE; ARAKAN HILLS; ARMS, AMMUNITION AND MILITARY STORES; BANK; BOUNDARIES AND SURVEY-MARKS; BURMA; CARRIER; COINAGE, II, 3; COMPANY; CONTRACT; COPYRIGHT; COURT-FEES; CRIMINAL LAW (IND.); CRIMINAL PROCEDURE (IND.); CRUELTY TO ANIMALS; DEREGULATIONISED TRACTS; DESIGN; DISTRICT; DISTURBED DISTRICT; DIVISIONS; DRAMATIC PERFORMANCE; EVIDENCE, II; EXCISE; EXPLOSIVE; FOREIGN RECRUITING; FOREIGNER; FORFEITURE; GAME; GOVERNMENT SECURITIES; GUARDIAN AND WARD; HACKNEY CARRIAGE; INCOME-TAX; INDIAN MILITARY AND NAVAL FORCES; INFECTIOUS DISEASE; INLAND STEAM-VESSELS; INVENTION; LAND (IND. LAW); LANDHOLDER; LAND-REVENUE, I; LEPER; LOAN, B; LUNATIC; MARRIAGE, II; MARRIED WOMAN; MATRIMONIAL CAUSES; MINORITY; NEGOTIABLE INSTRUMENT; OATH AND AFFIRMATION; OFFICIAL SECRET; OPIUM; PARTNERSHIP; PENSIONS AND GOVERNMENT GRANTS; POLICE, I; POST OFFICE (IND. LAW); PREVENTIVE RELIEF; PRINTING PRESSES AND PUBLICATIONS; PRISON; PROVIDENT FUND; PUBLIC OFFICER; PUBLIC WORKS; RAILWAY; RATES AND CHARGES; RECORDS; REGISTRATION OF BIRTHS, ETC.; SALT; SCHEDULED DISTRICTS; SLAVERY; SMALL CAUSE COURTS, B; SOCIETY; SPECIFIC RELIEF; STATE PRISONER; SUCCESSION; TELEGRAPH; TOLLS; TORT; TRAMWAY; TREASURE TROVE; VACCINATION; VAGRANT; VALUATION OF SUITS; VOLUNTEER; WEIGHTS AND MEASURES; YOUTHFUL OFFENDER] . . . . Act13,1898.

BURMA LAWS ACT, KACHIN HILL TRIBES REGULATION AND CHIN HILLS REGULATION AMENDMENT REGULATION, 1910 . . . . . Reg.2,1910.

BURMA MILITARY POLICE ACT, 1887 (*See* POLICE, IV) . Act15,1887.

BURMA MILITARY POLICE ACT AMENDMENT ACT, 1899 Bur.Act3,1899.

BURMA MILITARY POLICE ACT AMENDMENT ACT, 1901 Bur.Act2,1901.

BURMA MOTOR-VEHICLES ACT, 1906 (*See* MOTOR CARS AND CYCLES) . . . . . Bur.Act2,1906.

BURMA MUNICIPAL ACT, 1898 (*See* BROTHEL AND DISORDERLY HOUSE; DOG; MUNICIPALITY, X; POLICY OF INSURANCE) . . . . . Bur.Act3,1898.

BURMA MUNICIPAL ACT AMENDMENT ACT, 1902. . . Bur.Act3,1902.

BURMA MUNICIPAL ACT AMENDMENT ACT, 1903 . . Bur.Act2,1903.

BURMA MUNICIPAL ACT (1898) AMENDMENT ACT, 1906 Bur.Act3,1906.

BURMA MUNICIPAL ACT AMENDMENT ACT, 1908 . . Bur.Act2,1908.

BURMA MUNICIPAL (AMENDMENT) ACT, 1909 . . . Bur.Act2,1909.

BURMA OPIUM LAW (AMENDMENT) ACT, 1909 (*See* OPIUM) . . . . . Bur.Act7,1909.

BURMA PROCESS-FEES ACT, 1910 (*See* LAND REVENUE, IX, X) Bur.Act1,1910.

BURMA PROHIBITION OF INOCULATION AND LICENSING OF VACCINATORS ACT, 1908 (*See* VACCINATION). Bur.Act6,1908.

BURMA REPEALING ACT, 1909 . . . . . Bur.Act5,1909.

BURMA STEAM-BOILERS AND PRIME-MOVERS ACT, 1910 (*See* STEAM-BOILERS AND PRIME-MOVERS) . . . Bur.Act2,1910.

BURMA TOWNS ACT, 1907 (*See* ANIMAL C; CANTONMENT; DRAMATIC PERFORMANCE; INFECTIOUS DISEASE; MARCHING TROOPS; PLACES OF PUBLIC RESORT AND ENTERTAINMENT; REGISTRATION OF BIRTHS, ETC.; STOLEN PROPERTY; TOWNS) Bur.Act3,1907.

BURMA TOWNS ACT AMENDMENT ACT, 1908 . . . . Bur.Act3,1908.

BURMA VACCINATION LAW AMENDMENT ACT, 1909 (See Vaccination). . . . . Bur.Act.1,1909.

BURMA VILLAGE ACT, 1907. [*See* ANIMAL C; CRIMINAL PROCEDURE (IND.); DRAMATIC PERFORMANCE; INFECTIOUS DISEASE; MARCHING TROOPS; POLICE, III; PUBLIC OFFICER; REGISTRATION OF BIRTHS, ETC.; STOLEN PROPERTY; TRAVELLER; VILLAGE; VILLAGE COURTS] . . . . . Bur.Act6,1907.

BURMA VILLAGE LAW AMENDMENT ACT, 1902 . . . Bur.Act1,1902.

BURMA.

Transfer to Lieutenant-Governor of powers and duties of Chief Commissioner . . . . . Act13,1898,s.15.

Laws; Act 13, 1898, extent of; not to affect special or local laws in Burma . . . . . „ ss.1,2.

Law applicable to Burma (except Shan States) . . . „ s.13.

(1) Upper and Lower Burma:
Defined . . . . . „ s.3(*d*),(*f*).

References in prior enactments to "British Burma Gazette" and "British Burma" or "Burma" to be construed as referring to the Burma Gazette and Lower Burma, respectively . . . . . „ s.7.

BURMA—*contd.*

(1) Upper and Lower Burma—*contd.*

Power to transfer territory from Upper Burma to Lower Burma and *vice versâ*: effect of transfer on operation of Scheduled Districts Act, 1874 . . . . . Act13,1898,s.14.

(2) Upper Burma:

Power to vary divisions, districts, sub-divisions, townships and circles . . . . . ,, s.5.

What enactments to be in force in Upper Burma generally (except the Shan States); no other enactments passed before Act 13, 1898, to apply unless extended . . . ,, s.4,Sch.1.

Acts 8 of 1851 and 1 of 1872 modified in Upper Burma (except the Shan States) . . . . . ,, s.4(*3*).

Power for Courts to construe enactments with necessary alterations . . . . . ,, s.6.

See also CHIN HILLS; KACHIN HILLS.

(3) The Shan States in Upper Burma:

Power to declare what territories included in . . . ,, s.10(*3*).

,, extend enactments to, and to modify them . . ,, s.10(*1*). (am.Reg.2,1910,s.2).

No enactment to be in force in, unless extended under Act 13, 1898, s. 10 (*1*), or made applicable by special mention . ,, s.10(*2*).

Act 6, 1900, s. 8 (jurisdiction over European British subjects), declared in force in . . . . . Act6,1900,s.8(*1*).

Administration (civil, criminal and revenue) of, by their own Chiefs and under their own laws; intervention of Local Government of Burma . . . . . Act13,1898,ss.11,12.

(4) Lower Burma:

Ben. Reg. 3, 1818; extension of, to . . . . . ,, s.8.

Conferment of magisterial and other powers on police-officers in Salween District . . . . . ,, s.9.

See ARAKAN HILLS.

For further provisions enacted specially for Burma, see the appropriate heads.

BUSTEE.

In Calcutta; control over. *See* MUNICIPALITY, *Sub-heading* Calcutta, 6.

BYE-LAWS.

Construction of. *See* ACTS OF PARLIAMENT, 1; ACTS AND REGULATIONS OF INDIAN LEGISLATURES, 1.

Publication of. *See* ACTS AND REGULATIONS, ETC., 1.

CALCUTTA BURIAL BOARDS ACT, 1881, 1889 (*See* DISPOSAL OF THE DEAD) . Ben.Act5,1881. Ben.Act4,1889.

CALCUTTA HACKNEY CARRIAGE ACT, 1891. (*See* CANTONMENT; HACKNEY CARRIAGE; PALANQUIN; STAGE CARRIAGE) Ben.Act2,1891.

CALCUTTA LAND-REVENUE ACT, 1850. (*See* CONTEMPT; LAND-REVENUE, IV) . . . . . Act23,1850.

CALCUTTA LAND-REVENUE ACT, 1856 (*See* LAND-REVENUE, IV) . . . . . Act18,1856.

CALCUTTA MUNICIPAL ACT, 1899. (*See* HACKNEY CARRIAGE; HOWRAH; MUNICIPALITY, VI, VII; WEIGHTS AND MEASURES)	Ben.Act3,1899..
CALCUTTA PILOTS ACT, 1859. (*See* MERCHANT SHIPPING) .	Act12,1859..
CALCUTTA PILOTS (AMENDMENT) ACT, 1883 . . .	Act6,1883..
CALCUTTA POLICE ACT, 1866. [*See* ANIMAL B; BEGGAR; BROTHEL AND DISORDERLY HOUSE; CRIMINAL PROCEDURE (IND.); DOG; EXCISE; EXPLOSIVE; FIRE, II; GAMING; HOSPITAL; INDIAN MILITARY AND NAVAL FORCES; INFANT; MERCHANT SHIPPING; MUSIC; NUISANCE; PLACES OF PUBLIC RESORT AND ENTERTAINMENT; POLICE, I; PORTERS; PRISON; STOLEN PROPERTY; STREETS, THOROUGHFARES AND PUBLIC PLACES; TRESPASS; UNCLAIMED PROPERTY; WEIGHTS AND MEASURES]	Ben.Act4,1866.
CALCUTTA POLICE ACT, 1898. (*See* POLICE, I) . . .	Ben.Act1,1898.
CALCUTTA POLICE (AMENDMENT) ACT, 1876 . . .	Ben.Act2,1876..
CALCUTTA PORT ACT, 1890. [*See* CUSTOMS (SEA); PORT; PORT COMMISSIONER, ETC.]	Ben.Act3,1890..
CALCUTTA PORT (AMENDMENT) ACT, 1894 . . .	Ben.Act2,1894.
1895 . . .	Ben.Act6,1895..
1898 . . .	Ben.Act2,1898.
1905 . . .	Ben.Act4,1905..
1907 . . .	Ben.Act2,1907..
1908 . . .	Ben.Act1,1908.
1910 . . .	Ben.Act1,1910..
CALCUTTA SUBURBAN POLICE ACT, 1866. [*See* BEGGARS; BROTHEL AND DISORDERLY HOUSE; CRIMINAL PROCEDURE (IND.); DOG; EXCISE; EXPLOSIVE; FIRE, II; MUSIC; NUISANCE; PLACES OF PUBLIC RESORT AND ENTERTAINMENT; POLICE, I; PORTERS; STOLEN PROPERTY; STREETS, THOROUGHFARES AND PUBLIC PLACES; TRESPASS; UNCLAIMED PROPERTY]	Ben.Act2,1866..
CALCUTTA AND SUBURBAN POLICE (AMENDMENT) ACT, 1886	Ben.Act2,1886..
1895	Ben.Act2,1895.
1910	Ben.Act3,1910..
CALCUTTA AND SUBURBAN POLICE (AMENDMENT) ACT, 1907. (*See* BROTHEL AND DISORDERLY HOUSE; DISORDERLY HOUSE)	Ben.Act3,1907..
CALCUTTA AND SUBURBAN POLICE (SUPERANNUATION FUND) ACT, 1905. (*See* POLICE, I)	Ben.Act6,1905..
CALCUTTA SURVEY ACT, 1887. (*See* SURVEY OF LAND) .	Ben.Act1,1887.
CALCUTTA TRAMWAYS ACT, 1880 (*See* TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT)	Ben.Act1,1880..
1894	Ben.Act3,1894..
CALCUTTA TRAMWAYS (AMENDMENT) ACT, 1884. (*See* TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT). .	Ben.Act2,1884.
CALCUTTA TRAMWAYS (ELECTRIC TRACTION) ACT, 1900 (*See* TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT) . .	Ben.Act4,1900.
CALCUTTA UNIVERSITY ACT, 1857. (*See* UNIVERSITY) .	Act2,1857.

CANALS ACT, 1864. (*See* CANAL, II ; TOLLS). . . . Ben. Act 5, 1864.

CANAL AND DRAINAGE ACT (NORTHERN INDIA), 1873. (*See* CANAL ; DRAINAGE ; IRRIGATION) . . . . . Act 8, 1873.

CANALS AND PUBLIC FERRIES ACT, 1890. (*See* CANAL ; FERRY ; LOCAL SELF-GOVERNMENT, VII ; MUNICIPALITY, XIII. Mad. Act 2, 1890.

CANAL.

1864. Ben. Act 5 (Canals).
1873. Act 8, ss. 3, 49 to 54, 67, 69 to 75 (Canals and Drainage, Central Provinces, N.-W. Provinces, Oudh, Punjab).
1882. Ben. Act 2, s. 91 (Embankment).
1884. Ben. Act 3, ss. 171, 172 (Municipality).
1889. Reg. 3 (Land and Revenue, Burma).
1890. Mad. Act 2, ss. 3 to 7, 11 to 20 (Canals and Ferries).
1905. Bur. Act 2 (Canals).
" Mad. Act 3, s. 2 (Land Encroachment).

GENERALLY—

I.—AJMERE AND BOMBAY PRESIDENCY.

II.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

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2. Navigation of Canal.
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IV.—UPPER BURMA

V.—CENTRAL PROVINCES, SAMBALPUR DISTRICT (BENGAL), N.-W. FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES.

VI.—MADRAS PRESIDENCY.

GENERALLY.

Decision by Magistrate of disputes between employers and workmen engaged on construction of canal. *See* PUBLIC WORKS.

See also DRAINAGE ; ELECTRICITY, 2 ; IRRIGATION.

I.—AJMERE AND BOMBAY PRESIDENCY.

See IRRIGATION, I, IV.

II.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

Definitions . . . . . Ben. Act 5, 1864, s. 1.
Power to apply Act to navigable channels . . . . . " s. 2.
Making, improvement, etc., of navigable channels, and application of Act to channels so dealt with . . . . . ss. 3, 4.
Tolls on vessels navigating channels :
Levy, collection and recovery of . . . . . " ss. 5 to 9.
Penalty for evasion of . . . . . " s. 10.
Making and publishing of rules for management, etc., of navigable channels ; penalties for breach of rules . . . " ss. 11, 12.
Appointment and powers of supervisor . . . . . " ss. 13 to 15.
Penalty for obstructing channel, etc. . . . . Ben. Act 5, 1864, s. 16.
Place of trial of offenders . . . . . " s. 18.
Collection of tolls by Municipal Commissioners . . . Ben. Act 3, 1884, ss. 171, 172.

CENTRAL PROVINCES COURT OF WARDS ACT, 1899 (*See* COURT OF WARDS, D) . . . . Act24,1899.

" " FINANCIAL COMMISSIONERS ACT, 1908 (*See* FINANCIAL COMMISSIONER, CENTRAL PROVINCES) . . Act13,1908.

" " LAND-REVENUE ACT, 1881 (*See* DISTRICT; FINANCIAL COMMISSIONER, CENTRAL PROVINCES; FISHERY, 6; LAND-REVENUE, XI; MINES AND MINERALS) . Act18,1881.

CENTRAL PROVINCES LAND-REVENUE ACT, 1889 (*See* LAND-REVENUE, XI) . . . . . Act16,1889.

CENTRAL PROVINCES LAND-REVENUE ACT, 1898 . . Act12,1898.

CENTRAL PROVINCES LAWS ACT {1875, 1879} [*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES, I; ADMINISTRATION OF ESTATES (IND. LAW); ALLUVION AND DILUVION; CENTRAL PROVINCES; CIVIL PROCEDURE, 12; FOREIGNER; MARCHING TROOPS; OPIUM; SAMBALPUR; STATE OFFENCES; STATE PRISONERS; TOLLS; TRAVELLER] Act20,1875. Act2,1879.

CENTRAL PROVINCES LOCAL SELF-GOVERNMENT ACT, 1883 (*See* ANIMAL, B; CANTONMENT; FERRY; LOCAL SELF-GOVERNMENT, V) . . . . . Act1,1883.

CENTRAL PROVINCES MUNICIPAL ACT, 1903 (*See* CANTONMENT; DOG; GAMING; LOCAL SELF-GOVERNMENT, V; MUNICIPALITY, XI; POLICE, I) . . . . . Act16,1903.

CENTRAL PROVINCES TENANCY ACT, 1898 (*See* FOREST; LANDLORD AND TENANT, VI; LAND-REVENUE, XI; REGISTRATION OF DOCUMENTS) . . . . . Act11,1898.

CENTRAL PROVINCES TENANCY (AMENDMENT) ACT, 1899 . . . . . Act21,1899.

CENTRAL PROVINCES VILLAGE-SANITATION ACT, 1902 (*See* LOCAL SELF-GOVERNMENT, V; VILLAGE) . . . . Act11,1902.

CENTRAL PROVINCES.

1. Status and Laws.

Certain zamindaris and jagirdaris, etc., in, are Scheduled Districts . . . . . Act14,1874,s.1,Sch.I, Pt.VI. Act15,1874,s.2,Sch.VI, Pt.VI.

Certain Bengal Regulations declared in force (with modifications), to the exclusion of all others . . . . . Act20,1875,ss.2(*a*)3, Sch.,Pt.A.

Certain Acts of the Governor General in Council repealed, and others declared in force . . . . . " ss.2(*b*),3,4,Sch., Pt.B.

Certain other enactments, and certain rules, repealed . . . " s.2(*c*).

Law to be administered . . . . . " ss.5,6.

2. Civil Justice.

Instruments of husbandry or trade, and agricultural cattle, exempted from attachment and sale in execution of decree . " s.7.

Repeal of certain sections of the Code of Civil Procedure and amendment of others (relating to the recording of evidence) . " ss.11,12.

3. Miscellaneous.

Power to make rules as to—

conservancy and watch and ward at fairs and assemblies, and taxation to meet expenses thereof . . . . . " s.8

custody of judicial records, and . . . . . "

appointment, etc., of ministerial officers . . . . . "

CANAL—*contd.*

Bengal Embankment Act, 1882, not to apply to land, etc., which are subject to Ben. Act 5, 1864 . . . . . Ben. Act 2, 1882, s. 91.

See also EAST INDIA IRRIGATION AND CANAL COMPANY; IRRIGATION, III.

III.—BURMA.

1. Preliminary.

Bur. Act 2, 1905, extends to whole of Burma including the Shan States . . . . . Bur. Act 2, 1905, s. 1(2).

Definitions . . . . . " s. 3.

Appointment of officers, etc. . . . . " s. 5.

2. Navigation of Canal.

Tolls to be levied . . . . . Bur. Act 2, 1905, ss. 4, 52.

Removal and detention of vessels violating rules or causing danger; recovery of expenses from owner . . . . . " 53.

Detention of vessel for recovery of toll or charge; seizure of cargo or goods carried in Government vessel, etc., for recovery of charge due to Government; sale of vessel, etc. . . " ss. 54 to 56, 58.

Sale of abadnoned vessels and unclaimed goods . . . . " ss. 57, 58.

3. Maintenance of Canal.

See DRAINAGE, III; IRRIGATION, II.

4. Supplemental.

Jurisdiction of Civil Courts in respect of claims against Government for things done under Act . . . . . Bur. Act 2, 1905, s. 72.

Offences and penalties; recovery of fines; arrest without warrant . . . . . " ss. 75 to 78.

Making and publishing of rules; penalty for breach of rule . . " s. 79.

IV.—UPPER BURMA.

Tolls imposed for navigation of canals, provision for recovery of; bar to jurisdiction of Civil Courts . . . . . Reg. 3, 1889, ss. 37 to 46. s. 53(ix).

See also IRRIGATION, II.

V.—CENTRAL PROVINCES, SAMBALPUR DISTRICT (BENGAL), N.-W. FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES.

Definitions . . . . . Act 8, 1873, ss. 3, 74.

Detention of vessel violating rules, and recovery of damages for injury done to canal . . . . . " ss. 49 to 53.

Sale of abandoned vessels and unclaimed goods . . . . " s. 54.

Jurisdiction of Civil Courts . . . . . " s. 67.

Procedure; penalties; making of rules . . . . . " ss. 69 to 73, 75.

See also IRRIGATION, V.

VI.—MADRAS PRESIDENCY.

Definitions . . . . . Mad. Act 2, 1890, s. 3.

Power to declare lines of navigation to be subject to Act . . " s. 4.

Vessels using canal to be licensed or registered; penalty . . " ss. 5, 18.

CANAL—*contd.*

VI.—MADRAS PRESIDENCY—*contd.*

Power to—	
fix fees for licensing or registration of vessels	Mad. Act 2, 1890, s. 6.
establish stations for levy of tolls	
fix rates of tolls and of fees for use of public landing-places, etc.	
Power for authorised persons to suspend or cancel license or registration, impose penalties, remove sunken vessels, etc., prohibit construction of contrivance for fishing, and stop and detain vessels	s. 7.
Power to assign management of canal to Local Board or Municipal Council	,, s. 11.
Collection or leasing of fees and tolls	,, s. 12.
Recovery of dues	,, s. 14.
Form and conditions of licenses and registration	,, s. 15.
Rules: power to make; penalty for breach of	,, ss. 16, 17.
Penalty for evasion of, or unauthorised collection of, toll or fee .	,, s. 17.
Confiscation of vessel, etc., on conviction of offence . . .	,, s. 20.
Canals when deemed to be property of Government . . .	Mad. Act 3, 1905, s. 2.
See also LAND (INDIAN LAW), H; MADRAS IRRIGATION AND CANAL COMPANY.	
CANTONMENTS ACT, 1910 [*See* ANIMAL, A; CANTONMENT; CRUELTY TO ANIMALS; DISPOSAL OF THE DEAD; GIFT; INFECTIOUS DISEASE; LAND (IND. LAW); LEASE; MORTGAGE; MUNICIPALITY, I; NUISANCE; POLICE, II; REGISTRATION OF BIRTHS, ETC.; REGISTRATION OF DOCUMENTS; SALE; SMALL CAUSE COURTS, B; WATER].	Act 15, 1910.

CANTONMENT.

[1]1869. Act 5, Pt. I (*f*) (Indian Articles of War).
1876. Ben. Act 5, s. 5 (Municipalities, Assam).
1878. Bom. Act 5, s. 61 (Excise, Bombay).
1883. Act 1, ss. 3, 4 (Local Self-Government, Central Provinces).
,, Act 20, ss. 9, 10, 24, 54 (Local Self-Government, Punjab).
1884. Ben. Act 3, ss. 5, 9, 37A, 66A (Municipalities, Assam and Bengal).
,, Bom. Act 1, ss. 4, 36, 47, 48 (Local Self-Government, Bombay).
1885. Ben. Act 3, ss. 4, 30, 136, 137 (Local Self-Government, Bengal).
,, Act 8, s. 116 (Tenancy, Bengal).
1886. Act 17, s. 10 (Morar Cantonment).
,, Reg. 5, ss. 3, 26, 154 (Municipalities, Ajmere).
,, Reg. 6, s. 3 (Local Self-Government, Ajmere).
1890. Reg. 1, ss. 3, 4 (Laws, British Baluchistan).
1891. Act 20, ss. 4, 27, 143, 183, 194 (Municipalities, Punjab).
,, Ben. Act 2, s. 4 (Hackney-carriages and Palanquins).
1891. U. P. Act 1, s. 6 (Water-supply).
1896. Act 12, ss. 62, 63 (Excise, Northern India, etc.).
1898. Bur. Act 3, ss. 3, 32, 188 (Municipalities, Burma).
1899. U. P. Act 2 (Collection of Taxes).
1900. Reg. 7, s. 1 (Settlement, Aden).
,, U. P. Act 1, ss. 4, 6, 38, 188 (Municipalities).
1901. Bom. Act 3, ss. 39, 52 (Municipalities, Bom. District).
,, Reg. 3, s. 29 (Frontier Crimes).
,, Reg. 7, s. 3 (Laws, N.-W. Fr.).
1903. Act 16, ss. 2, 3, 23 (Municipalities, Central Prov.).
1905. Ben. Act 3 (Smoke Nuisances).
,, P. Act 2, s. 7 (Pre-emption).
1906. Reg. 2 (Pre-emption, N.-W. Fr.).

[1] Act 5, 1869, will be repealed on the coming into force of Act 8, 1911.

CANTONMENT—*contd.*

1906.	U. P. Act 3, s. 28 (District Boards).	1910.	Act 15 (Cantonments).
1907.	Reg. 2, ss. 3, 23 (Municipalities, Coorg).	,,	E. B. & A. Act 1, s. 7 (Excise).
,,	Bur. Act 3, s. 4 (Towns, Burma).	,,	U. P. Act 4, s. 8 (Excise).
1909.	Ben. Act 5, s. 6 (Excise).	,,	Reg. 5, ss. 3, 25 (Bazar, Br. Bal.).

1. Administration.
2. Excise.
3. Taxation and Cantonment Fund.
4. Miscellaneous.

1. Administration.

Act 15, 1910, extends to whole of British India . . .	Act15,1910,s.1.
Power to declare place to be cantonment, and to define limits of cantonment	,, s. 3.
Cantonment not to be included in area subject to Local Board, etc.	(C.P.)Act1,1883,ss.3,4. (N.-W.F.&P.)Act20,1883, s.10. (Ben.&E.B.)Ben.Act3, 1885,s.4. Bom.Act1,1884,s.4. (Aj.)Reg. 6, 1886, s. 3.
,, municipality, except with consent of Government of India	(Aj.)Reg.5,1886,ss.3,154. (As.)Ben.Act5,1876,s.5. (Ben.&E.B.&A.)Ben. Act3,1884,ss.5,9. (Bur.)Bur.Act3,1898, s.3(*1*). (C.P.)Act16,1903,s.3. (Co.)Reg.2,1907,s.3. (N.-W.F.&P.)Act20,1891, ss.4,194. (U.P.)Act1,1891,s.6. (U.P.)U.P.Act1,1900, ss.4,6.
,, ,, bazar, except with consent of Government of India .	Reg.5,1910,s.3(*1*).
,, ,, ,, declared a town for purposes of Burma Towns Act, 1907, except with consent of Government of India . .	Bur.Act3,1907,s.4.
Sanction of Governor General in Council required to—	
extension of Ben. Act 2, 1891 (Hackney-carriages and Palanquins), to cantonment	Ben. Act 2, 1891, s. 4.
extension of Bengal Smoke Nuisances Act to cantonment .	Ben.Act3,1905,s.2(*1*), proviso.
Cantonment not to be excluded from municipality, except with consent of Government of India	(Aj.)Reg.5,1886,s.154. (Ben.&E.B.&A.)Ben. Act3,1884,s.9. (C.P.)Act16,1903,s.3. (Co.)Reg.2,1907,s.3. (N.-W.F.&P.)Act20,1891, s.194. (U.P.)U.P.Act1,1910, s.188.
Ch. V of Bengal Tenancy Act, 1885, not to confer right of occupancy in, and Ch. V thereof (non-occupancy raiyats) not to apply to, Government lands in cantonments	Act8,1885,s.116. (am.Ben.Act1,1907,s. 40;E.B.&A.Act1,1908, s.40).

CANTONMENT—*contd.*

1. Administration—*contd.*

Appointment, etc., of Joint Committee consisting of Cantonment Authority and another Local Authority	(Aj.)Reg.5,1886,s.26. (Ben.&E.B.&A.)Ben.Act 3,1884,s.37A. (Ben.&E.B.)Ben.Act3, 1885,s.30. (Bom.)Bom.Act1,1884,s.36. Bom.Act3,1901,s.39. (Bur.)Bur.Act 3,1898, s. 32. (C.P.)Act16,1903,s.23. (Co.)Reg.2,1907,s.23. (N.-W.F.&P.) Act20, 1883,s.24. Act20, 1891,ss.27, 183. (U. P.) U.P.Act3,1906, s.28. U.P.Act1,1900, s. 38.
Settlement of differences of opinion between Cantonment Authority and another Local Authority	(Aj.)Reg.5,1886,s.26(2). (Ben.&E.B.&A.)Ben.Act 3,1884,s.66A. Ben.Act3, 1885,ss.136,137. (Bom.)Bom.Act1,1884,s.36. Bom.Act3,1901.s,39. (Bur.)Bur.Act3,1898, s.188. (C.P.)Act16,1903,s.23. (Co.)Reg.2,1907 s.23(2). (N.-W.F.&P.) Act20, 1883,s.54. Act20, 1891,s.183. (U.P.) U.P.Act1,1900, s.38(2). U.P.Act3,1906, s.28(2).
Reg. 7. 1900 (Aden Settlement), not to extend to cantonments .	Reg.7,1900, s.1.
Presidency-town; Local Government to appoint authority to discharge functions in cantonment situate in . . .	Act15,1910,s.27.
Cantonment Authority required for every cantonment beyond Presidency-town	,, s.4.
,, ,, to be Cantonment Committee, or Commanding Officer of Cantonment; Local Government to determine whether Committee is to be constituted	,, s.5.
,, ,, is a "Local Authority" . . .	,, s.5(3).
,, ,, rules for constitution, functions, proceedings and division of duties of Cantonment Committees . . .	,, s.24(4).
,, ,, rules for functions of Commanding Officer where no Committee . .	,, s.24(5).
,, ,, *See also* LOCAL AUTHORITY.	

CANTONMENT—*contd.*

I. Administration—*contd.*

Cantonment Magistrate required for every cantonment beyond Presidency-town	Act 15,1910,s.4.
„ „ appointment and subordination of . .	„ s.6.
„ „ rules for duties of	„ s.24(6).
Court of Small Causes; suits cognizable by	„ ss.7,8.
„ „ „ continuance of jurisdiction notwithstanding reduction of jurisdiction of Judge	„ s.9.
Police-force deemed part of general police-establishment under Local Government	„ s.10(1).
„ cantonment deemed a "town" for purposes of s. 34, Act 5, 1861 (arrest and punishment for certain offences on roads, etc.)	„ s.10(2).
„ maintenance of, a first charge on Cantonment Fund	„ s.19(2).
Indian Articles of War not to affect Magistrates or police in cantonment	[1]Act5,1869,Pt.I,cl.(f).
Power to extend municipal enactments to, with restrictions and modifications	Act15,1910,s.23.
Power to make rules for administration of; penalties for breach	„ ss.24,25.
„ extend such enactments and rules to places beyond cantonment	„ s.26.

Vaccination. *See* VACCINATION, 1.

Protection of game. *See* GAME.

Hackney-carriages. *See* HACKNEY-CARRIAGE.

Levy in cantonment of tax under Bombay Highway Act, 1883, or contribution from funds of cantonment for objects of that Act. *See* TAXES.

See POISON.

2. Excise.

Liquor and intoxicating drugs:	
Permission of Commanding Officer required to sale of spirituous liquor or intoxicating drug (including opium), or possession of more than one quart of spirituous liquor, in or near cantonment; arrest and seizure; disposal of things seized; exception as to articles sold or supplied for medicinal purposes	Act15,1910,ss.11to14.
Control of Commanding Officer over grant and continuance of licenses for—	
manufacture of spirit or sale of spirit or fermented liquor .	Act12,1896,s.62. Ben.Act5,1909,s.21.
„ or sale of spirituous or fermented liquor or intoxicating drugs (other than opium) . .	U.P.Act4,1910,s.25. E.B.&A.Act1,1910,s.20.
Application of certain Excise Acts to cantonments . . .	Act12,1896,s.63.
Cantonments Act not affected by Bombay Excise Act . .	Bom.Act5,1878,s.61.
„ „ „ „ Bengal Excise Act . .	Ben.Act5,1909,s.6.
„ „ „ „ United Provinces Excise Act .	U.P.Act4,1910,s.8.
„ „ „ „ Eastern Bengal and Assam Excise Act	E.B.&A.Act1,1910,s.7.

[1] Act 5, 1869, will be repealed on the coming into force of Act 8, 1911.

CANTONMENT—*contd.*

3. Taxation and Cantonment Fund.

Taxation; power to introduce, abolish and modify municipal taxes	Act15,1910,s.15(*1*).
„ „ apply or adapt municipal enactments or rules for assessment and recovery of taxes	„ s.15(*2*).
„ „ extend Act 20, 1856 (Chaukidars), to cantonments; consequential restriction of power of taxation	„ ss.16,17.
„ „ prohibit levy of any tax, or exempt persons or property	„ s.18.
Collection of octroi in cantonment limits by Municipal Committee, by agreement with Cantonment Authority	(N.-W.F.&P.) Act20,1891, s.143(*3*). (U.P.)Act1,1900,s. 69(*3*). Bom.Act3,1901,s.39.
Cantonment Fund; constitution of; what moneys to be credited and debited to; application of fund beyond limits of cantonment	Act15,1910,s.19.
„ „ rules for application of, payments from, and investment of balance	„ s.24(7 to9).
„ „ custody, vesting and management of	„ ss.20,21.
„ „ acquisition of immoveable property at cost of; application of Land Acquisition Act	„ s.22.
Power of Municipal Commissioners to contribute towards expenditure incurred in cantonment	Bom.Act 3,1901,s.52(*b*).
Collection of cantonment taxes by railway administrations by agreement	U.P.Act2,1899.
Power of Local Government to direct expenditure within cantonment of proceeds of local rate levied therein under Punjab District Boards Act, 1883	(N.-W.F.& P.)Act20,1883, s.9. (sub.P.Act2,1906,s.3)[1].
Power of Governor General in Council to direct contribution to be made to cantonment fund from octroi receipts in bazar	Reg.5,1910,s.25(*1*)(*a*).
Assignment by District Local Board to Cantonment Committee of proceeds of certain taxes levied by Board in cantonment	Bom.Act1,1884,s.47.
Expenditure in cantonment on education	„ s.48.

4. Miscellaneous.

Bar of suits and prosecutions for acts done in good faith	Act15,1910,s.28.
Certain transfers of property must be made by registered instrument	„ s.29(*1*).
Indexes kept under Indian Registration Act, 1908, to be sent to Cantonment Magistrate, when cantonment is not a separate sub-district or district under that Act	„ s.29(*2*).
Power to exclude cantonment from operation of Act	„ s.30.
Penalty for being found in cantonment at night carrying arms, etc.	[2]Reg.3,1901,s.29. Reg.7,1901,s.3,Sch.II.
No right of pre-emption within Cantonments; exception	P.Act2,1905,s.7(*1*). (N.W.F.)Reg.2,1906.
See BROTHEL AND DISORDERLY HOUSE; CANTONMENTS (HOUSE-ACCOMMODATION).	
Cession of Morar Cantonment to Gwalior	Act17,1886,s,10.

[1] P. Act 2, 1906, has been extended (with modifications) to N.-W. Fr. by notification under Act 14, 1874.
[2] Reg. 3, 1901, has been extended (with modifications) to British Baluchistan by notification under Act 14, 1874.

CANTONMENTS (HOUSE-ACCOMMODATION)		Act2,1902.
Extent and application of Act 2, 1902		Act2,1902,ss.1(2),3.
Saving of written instruments	,,	s.4.
Definitions	,,	s.2.
Liability of houses in cantonments to appropriation for occupation by military officers	,,	s.5.
Appropriation of houses for occupation by military officers; notice of appropriation and procedure thereon; appeal	,,	ss.6to9,35 to38,15(1).
Houses not to be appropriated in certain cases	,,	s.11.
Option in certain cases to owner to offer house for sale	,,	s.14.
Time to be allowed for giving possession	,,	s.12.
Entry by Cantonment Magistrate and enforcement of surrender on failure to give possession	,,	s.13.
Liability of Government to owner if tenant under lease from year to year or for any term exceeding one year evicted from house	,,	s.15(2),(3),(4).
Commencement and termination of tenancy in case of military officer occupying house	,,	s.16.
Sub-lease by military officer avoidable by owner	,,	s.17.
Repairs; right of military tenant in respect of	,,	s.22.
Recovery of rent from military tenant	,,	s.39.
Reference to arbitration of certain disputes between military tenant and owner	,,	ss.18to21.
Committees of Arbitration; constitution and convening of	,,	ss.24to29.
meeting and powers of	,,	ss.30to33.
Decisions of, in case of difference of opinion; finality of decision	,,	s.34.
Houses in cantonments not to be occupied for certain purposes except with sanction	,,	s.10.
notice of devolution of interest in, to be given; penalty for failure	,,	s.23.
appeals against notice of appropriation of	,,	ss.35to38.
Service of notice, etc.	,,	s.40.
Rules	,,	ss.41,42.
Protection to persons acting under Act	,,	s.44.
CANTONMENTS (HOUSE-ACCOMMODATION) ACT, 1902 [*See* ARBITRATION; CANTONMENTS (HOUSE-ACCOMMODATION); CRIMINAL PROCEDURE (IND.) 12]		Act2,1902.
CAPITAL.		
Payment by Railway Company of interest out of. *See* RAILWAY, 10.		
CAPITAL PUNISHMENT.		
Under Army Act		44-5V.c.58,s.4.
Indian Articles of War		[1]Act5,1869,Arts.7to24.
In other cases. *See* CRIMINAL LAW (IND.), 3; STATE OFFENCES.		
Inferior Courts not to have power of imposing, on European British subject		3-4W.4,c.85,s.46.

[1] Act 5, 1869, will be repealed on the coming into force of Act 8, 1911.

CAPITAL PUNISHMENT—*cont.l.*

Confirmation of sentence . . . . . (O.)Act14,1891,s.7.
" " *See also* CRIMINAL PROCEDURE (IND.), 9 (2).
Postponement and commutation of sentence on pregnant woman . Act5,1898,s.382,Sch. V,Form36.
Confirmation and commutation of sentence in Aden . . . Act2,1864,s.28.
Execution in British India of certain capital sentences passed elsewhere by British Courts or officers . . . . . Act3,1900,s.18.
In what jails such sentences to be executed . . . . . " s.18(2).

CAPITATION-TAX AND LAND-RATE IN LIEU THEREOF, LOWER BURMA.

Act 2, 1876, extends to Lower Burma, except Arakan Hill District and notified areas . . . . . Act2,1876, s. 1.
Imposition of capitation-tax: rates of tax; exemptions . . " s.34,Sch.
Power to impose land rate in lieu of capitation-tax; amounts of rate . . . . . " s.35,Sch.
Power to exempt persons or lands from payment of tax or rate . " s. 36.
Personal liability for rate . . . . . " s.37.
Year of assessment of tax or rate; enhancement when to take effect . . . . . " ss.41,42.
Tax or rate when due, and where and to whom payable . . . " s.43.
Recovery of tax or rate . . . . . " ss.44to53.
Appeals . . . . . " s.55.
Bar to jurisdiction of Civil Courts . . . . . " s.56.
Power to make rules as to assessment and collection . . . " s.58(*a*).
Persons liable to income-tax not to be assessed to capitation-tax or land-rate . . . . . " s.48.
Abolition of capitation-tax in Arakan Hill District . . . Reg.9,1874,s.12.

CARGO. *See* MERCHANT SHIPPING, 6, 7 (*b*). *See also cross-references from* GRAIN CARGO.

CARRIAGE. *See* HACKNEY-CARRIAGE; PUBLIC CONVEYANCE; STAGE CARRIAGE.

CARRIERS ACT, {1865, 1899} (*See* CARRIER; TRAMWAY) . . Act3,1865. Act10,1899.

CARRIER.

Act 3, 1865, declared in force—
throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.
in the Santhal Parganas . . . . . Reg.3,1872,s.3,Sch.
in the Arakan Hill District (with a modification) . . . Reg.9,1874,s.3.
in Upper Burma generally (except the Shan States) . . Act13,1898,s.4,Sch.1.

Common Carrier:
Definition of . . . . . Act3,1865,s.2.
Certain goods above Rs. 100 in value:
Carrier not liable for loss or damage unless description and value expressly declared . . . . . " s.3,Sch.
Carrier may demand extra payment for risk, if notice exhibited . . . . . " s.4.
Owner may recover sum paid for risk, in addition to value . " s.5.
Other goods:
Liability not limited or affected by public notice, but special contract may be made . . . . . " s.6.

CARRIER—*contd.*

Other goods—*contd.*

Tramway owner; liability of . . . . . Act3,1865,s.7.

S. 7 repealed as to railways . . . . . Act9,1890.

Liability for negligence or criminal act . . . . Act3,1865,s.8.

Plaintiff need not prove negligence or criminal act by carrier . „ s.9.

No suit against, unless previous notice of loss or injury given . „ s.10.

Act 3, 1865, repealed as to carriers by rail . . . . Act4,1879.

Liability of Railway administration. *See* RAILWAY, 7, 10.

„ shipowner. *See* MERCHANT SHIPPING, 1 (*b*).

CASTE DISABILITIES REMOVAL ACT, 1850. (*See* CASTE) . Act21,1850.

CASTE QUESTIONS; PLEADERS (*See* CASTE; LEGAL PRACTITIONER) . . . . . Bom.Reg.2,1827.

CASTE.

Bom. Reg. 2, 1827, s. 21, declared in force throughout the Bombay Presidency, except as regards the Scheduled Districts Act15,1874,s.5.

Act 21, 1850, declared in force—

throughout British India, except as regards the Scheduled Districts . . . . . „ s.3.

in the Santhal Parganas . . . . . Reg.3,1872,s.3,Sch.

in the Arakan Hill District (with modifications) . . . Reg.9,1874,s.3.

Limitation of jurisdiction of Courts in questions relating to . Bom.Reg.2,1827,s.21.

Non-forfeiture of rights or property by loss of . . . . Act21,1850.

When taken into account in fixing rent payable by tenant. (*See* LANDLORD AND TENANT, IX, 3).

CASUALTIES. *See* MERCHANT SHIPPING, 8.

CATTLE-TRESPASS ACT, 1871. (*See* ANIMAL, B, 1) . . Act1,1871.

„ „ (1871) AMENDMENT ACT, 1891 . Act1,1891.

CENSUS ACT (INDIAN), 1910 . . . . . Act16,1910.

CENSUS.

Provisions for taking a general census of British India during the year 1911 . . . . . Act16,1910.

Taking of, in municipalities:

See under MUNICIPALITY (*sub-heading* "The Public Health, Safety and Convenience.")

Taking of, by District Board, Bengal, and Eastern Bengal. *See* LOCAL SELF-GOVERNMENT, III, .

Taking of, in Aden; power to make rules for . . . . Reg.7,1900,s.13.

Taking of, in bazars in British Baluchistan. *See* BRITISH BALUCHISTAN, II, 6 (*s*).

Taking of, under Infanticide Act . . . . . Act8,1870,ss.2,3.

Of firearms; power to direct . . . . . Act11,1878,s.32.

CENTRAL PROVINCES BOILER INSPECTION ACT, 1907 (*See* STEAM-BOILERS AND PRIME-MOVERS) . . . . . Act2,1907.

COURTS ACT, 1904 [*See* CIVIL COURTS; CRIMINAL PROCEDURE (IND.); MATRIMONIAL CAUSES; SEAL] . Act2,1904.

(AMENDMENT) ACT, 1910 Act11,1910.

CENTRAL PROVINCES—*contd.*

3. Miscellaneous—*contd.*

Rules under Act 20, 1875; sanctioning of . . . . . Act20,1875,s.10.
" " " " penalty for breach of . . . " s.9.
Transfer of taluqas Nugur, Albaka and Cherla to Madras Presidency . . . . . Reg.1,1909.
For further provisions enacted specially for the Central Provinces, see the appropriate heads.

CERTIFICATE ACTS. *See* PUBLIC DEMANDS, II.

CESS ACT, 1880 (*See* LOCAL RATES AND CESSES, B; RAILWAY; TRAMWAY) . . . . . Ben.Act9,1880.

CESSES. *See* ALBAKA; CHERLA; LOCAL RATES AND CESSES; NUGUR; TÉA CESS.

CESSPOOLS.
Regulation of. *See cross-references from* DRAINS, LATRINES, ETC.

CHARGE.
Definition of; application to, of law as to mortgages . . Act4,1882,s.100.
Liability of transferee of . . . . . " s.137.
Extinguishment of, on owner thereof becoming absolutely entitled to property which is the subject of . . . . " s.101.
In case of Dekkhan agriculturist, must be in writing . . . . Act17,1879,s.70.
See also ACTIONABLE CLAIM; TRANSFER OF PROPERTY, A.

CHARGE OF OFFENCE. *See* CRIMINAL PROCEDURE (INDIAN), 8 (4).

CHARGES.
On private estates managed by Government, to cover cost of management, etc. *See* RATES AND CHARGES.

CHARITABLE ENDOWMENTS ACT, 1890 (*See* ADVOCATE GENERAL; ENDOWMENT, 1; OFFICIAL TRUSTEE) Act6,1890.

CHARITABLE PURPOSES defined. *See* WORDS AND PHRASES.

CHARITABLE SOCIETY. *See* SOCIETY, 1.

CHARTER.
Liberties of the Church and subjects . . . . . 12-3W.3,c.2.

CHAUKIDARS. *See* POLICE, II.

CHEATING. *See* CRIMINAL LAW (IND.), 15.
" AT GAMES. *See* GAMING, 4.

CHEQUE. *See* NEGOTIABLE INSTRUMENT.

CHERLA.
Taluqa of, laws to be in force in, on transfer to Madras Presidency: pending proceedings . . . . . Reg.1,1909,ss.2,3,5.
Levy of certain cesses in . . . . . " s.4.

CHIEF COMMISSIONERS' POWERS ACT (*See* CHIEF COMMISSIONER). . . . . Act32,1867.

CHIEF COMMISSIONER.
Included in expression "Local Government" as used in Acts of Governor General in Council from 3rd January, 1868, and Regulations from 14th January, 1887 . . . . Act10,1897,ss.3(*29*),4(*1*).
See also GOVERNMENT OF INDIA, 2 (*c*).

CHIEF COMMISSIONER—*contd.*

Power of Governor General in Council to delegate to Chief Commissioners of Central Provinces and Oudh powers conferred by Acts on the Governor General in Council as Local Government — Act32,1867.

CHIEF COURT OF LOWER BURMA.

Constitution of; appointment of Judges — Act6,1900,ss.4,5,6.
Rank and precedence of Judges; Senior Judge — ,, s.7.
Civil original jurisdiction: to be principal Civil Court of, for Rangoon Town — ,, s.8(*1*)(*c*).
Civil appellate jurisdiction — ,, ss.8,28.
Second appeal in certain cases on same grounds as first appeal — ,, s.30.
Appeal from original civil jurisdiction — ,, s.14.
Appeal from decision of Small Cause Court, Rangoon, in certain cases — ,, s.27(*2*),(*3*).
Procedure in exercise of civil jurisdiction; certain provisions of the Code of Civil Procedure not to apply — s.16.
Criminal original jurisdiction: to be principal Criminal Court of, for Rangoon Town: Magistrates in Rangoon Town to commit to Chief Court — ,, s.8(*1*)(*c*), s.13(*1*).
Criminal jurisdiction over European British subjects, etc., in whole of Burma including Shan States — ,, s.8(*1*)(*a*),(*b*).
Criminal appellate and revisional jurisdiction — ,, ss.8(*1*),13.
Review in certain criminal cases on certificate of Government Advocate — Act6,1900,s.12.
Insolvency jurisdiction of — Act3,1909,s.3(*b*).
Exercise of jurisdiction by single Judges and benches — Act6,1900,s.9,s.10(*2*).
Full bench, constitution of; power to refer questions to — ,, s.10(*1*),s.11.
Rule of decision where Judges differ — ,, s.15.
Ministerial officers — ,, s. 17.
Superintendence and control over all other Civil Courts in Lower Burma to vest in: inspection of such courts by — ,, s.18.
Power of, to make rules as to petition-writers, translations, search and inspection of records, expenses of witnesses and fees of Commissioners, language in which Courts to be addressed, delegation of certain powers to ministerial officers, forms, inspection of subordinate courts, etc. — ,, ss.19,46.
Books, registers, statements, etc., to be kept and furnished by — ,, s.20.
Place of sitting: seal — ,, ss.36,37.
Holidays — ,, s.38.
Right of audience of Advocates of abolished Courts preserved — ,, s.40.

CHIEF COURT OF THE PUNJAB.

Constitution of; appointment of Judges — Act18,1884,s.4.
Rank and precedence of Judges — ,, s.5.
Civil appellate jurisdiction; second appeal in certain cases on same grounds as first appeal — ,,ss.6,39,40,43.
Criminal appellate and revisional jurisdiction; Criminal jurisdiction over European British subjects — ,, s.7.
Review in certain criminal cases on certificate of Government Advocate — ,, s.11A(ins. P.Act1,1909, s.2).
Delegation of powers to members of Court — ,, s 9.
Appeals from original civil jurisdiction of — ,, s.9.

CHIEF COURT OF THE PUNJAB—*contd.*

Rule of decision when Judges differ . . . . . Act 18, 1884, s.10.
Power of, to refer question to full bench . . . . . „ s.11.
Ministerial officers . . . . . „ ss.12, 14(*f*).
Superintendence and control over other Civil Courts to vest in . „ s.13.
Power to call for records and revise decision in unappealable cases; court-fees, refund . . . . . „ ss.70 to 72.
Extraordinary power of, to transfer civil or criminal proceedings „ s.76.
Power of, to make rules as to petition-writers, judicial powers of ministerial officers, translations, forms, inspection of subordinate Courts, etc. . . . . „ s.14.
Books, etc., to be kept and furnished by . . . . . „ s.15.
Procedure of, in exercise of civil jurisdiction; certain sections of Code of Civil Procedure not to apply . . . . . „ s.16.
Place of sitting . . . . . „ s.66.
Holidays . . . . . „ s.67.
Periodical republication, etc., of circulars issued by, . . Act 4, 1872, s.51 (am. P. Act 1, 1910).
Act 18, 1884, rep. in N.-W. F. . . . . Reg. 7, 1901, s.5, Sch. 3.

CHILD.

See APPRENTICE; INFANT; MINOR; VACCINATION, I, 3, II, 3.

CHIN HILLS REGULATION, 1896 [*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES, 1; CHIN HILLS; CRIMINAL LAW (IND.), 2, 25; CRIMINAL PROCEDURE, 13; DEREGULATIONISED TRACTS; DISTURBED DISTRICT; EVIDENCE, II; PRECIOUS STONES; PUBLIC OFFICER; SLAVERY; STATE PRISONER] . . . . . Reg. 5, 1896.

CHIN HILLS (UPPER BURMA).

1. Preliminary.

Tracts and tribes to which Reg. 5, 1896, applies . . . . Reg. 5, 1896, ss.1, 2.
Sections 9, 12, 16, 22, 23 and 33 applicable to persons other than Chins . . . . . „ s.4(*4*), (*5*).
Definitions . . . . . „ s.2.

2. Laws.

What enactments to apply to Chins . . . . . „ s.3(*1*), Sch.
Bar to application of other enactments to Chins . . . . „ s.3(*2*).
Power of Local Government to apply enactments to Chins . „ s.3(*2*), prov. (am. Reg. 2, 1910, s.5).
Application of law in force in Upper Burma (except Mandalay) to persons not Chins; powers of Superintendent, Assistant Superintendent and Local Government . . . . . „ s.4.

3. Headmen, and their Powers.

Headmen; definition . . . . . s.2(*6*).
„ appointment, etc., of . . . . . ss.5, 17, 38.
„ to control clan, etc. . . . . s.6(*1*).

CHIN HILLS (UPPER BURMA)—*contd.*

3. Headmen, and their Powers—*contd.*

Headmen may levy customary dues and impose punishments in accordance with local custom	Reg.5,1896,s.6(*2*).
„ to keep the peace, comply with orders of Superintendent or Assistant Superintendent, and furnish supplies of food and labour for public servants . .	„ s.6(*3*).
„ criminal jurisdiction of; Indian Penal Code and Code of Criminal Procedure not to apply . . .	„ s.7.
„ civil jurisdiction of	„ s.8.
„ punishment of	„ s.17.

4. Jurisdiction and Special Powers of Officers.

Criminal jurisdiction	„ ss.9,10,13.
Civil jurisdiction	„ ss.9,12,13.
Investiture of Assistant Superintendent with powers . . .	„ s.11.
Power to impose fines on villages, etc., for collusion with criminals, etc.	„ ss.14,15.
„ coerce hostile tribe, etc.	„ s.16.
„ decide dispute likely to lead to feud, etc.	„ s.18.
„ prohibit formation of new village	„ ss.19,23.
„ direct removal of village or persons	„ ss.20to23.
„ require security for prevention of crime or feud . .	„ ss.24to30.

5. Arms, Ammunition, Intoxicating Drugs, Liquor and Forests.

Firearms and ammunition; regulation of use and exportation of, and manufacture of gunpowder	Reg.5,1896,s.31(*1*)to(*5*).
Dás, spears and bows and arrows; power to prohibit carrying of	„ s.31(*6*),(*7*).
Opium, ganja, bhang or charas; penalty for importing, cultivating, manufacturing, possessing, selling or exporting . .	„ s.33.
Foreign fermented liquor or spirit; penalty for selling, to Chin .	„ s.34.
Forests; sanction required to prosecution under Reg. 6, 1887 .	„ s.32.

6. Taxes.

Power of Local Government to prescribe rates of . . .	„ s.35.
Recovery of	„ s.36.

7. Miscellaneous.

Recovery of fines, etc.	„ s.36.
Subordination of officers; control and revision . . .	„ ss.38,41.
Power of Local Government to make rules	„ s.39.
Bar to jurisdiction of Civil and Criminal Courts . . .	„ s.40.
Delegation of certain of Local Government's powers . . .	„ s.41.

CHITTAGONG HILL TRACTS REGULATION, 1910 [*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES; BOUNDARIES; CHITTAGONG HILL TRACTS; CRIMINAL LAW (IND.), 25; CRIMINAL PROCEDURE (IND.); DEREGULATIONISED TRACTS; DISTRICT; DISTURBED DISTRICT; EVIDENCE, II; LAND (IND. LAW), A; LAND-REVENUE, V,A,5; LEGAL PRACTITIONER; POLICE, I; POST OFFICE (IND. LAW); PUBLIC OFFICER; REGISTRATION OF DOCUMENTS; SLAVERY; STATE PRISONER; TAXES) . . . . . Reg.1,1900.

CHITTAGONG HILL TRACTS FRONTIER POLICE REGULATION, 1881 (*See* CHITTAGONG HILL TRACTS; FRONTIER)	Reg.3,1881.
CHITTAGONG PORT COMMISSIONERS ACT, 1887 [*See* CUSTOMS (SEA); MERCHANT SHIPPING; PORT; PORT COMMISSIONERS, ETC.]	Ben.Act4,1887.
CHITTAGONG PORT COMMISSIONERS (AMENDMENT) ACT, 1903	Ben.Act4,1903.
CHITTAGONG HILL TRACTS.	
Are a Scheduled District	Act14,1874,s.1,Sch.I,Pt. III. Act15,1874,s.2,Sch.VI,Pt. III.
Transferred to the Province of Eastern Bengal and Assam . .	Act7,1905,preamble,Sch.B.
Power to define boundaries of	Reg.1,1900,s.2(2).
To constitute a district and a sessions division; Superintendent to be District Magistrate, and Commissioner to be Sessions Judge	,, ss.7,8.
To constitute a general police-district; Commissioner to exercise functions of Inspector General of Police	,, s.16.
To be administered under rules	,, s.3.
,, ,, by Superintendent	,, s.7.
Power to make rules for administration of	,, s.18.
Enactments in force in	,, s.4,Sch.
Eastern Bengal and Assam Act not to apply to, in absence of extension or special provision	E.B.&A.Act1,1909,s.18.
Appointment of Superintendent and other officers in . . .	Reg.1,1900,s.5.
Power to invest Assistant Superintendent with powers of Superintendent	,, s.6.
Control over officers; revision	,, s.17.
Local Government to be High Court for certain purposes, and Commissioner to be High Court for others	,, s.9.
Power of Superintendent to withdraw cases	,, s.10.
Arms and ammunition: possession, registration and exportation of firearms and ammunition; manufacture of gunpowder; carrying of daos, spears, and bows and arrows; penalties .	,, ss.11,12.
Intoxicating drugs: importation, exportation, manufacture, possession or sale of opium, ganja or charas or preparations thereof; penalty	,, s.13.
Spirit and fermented liquor: importation, sale and exportation of; penalties	,, ss.14,15.
Bar to jurisdiction of Civil and Criminal Courts . . .	,, s.19.
Frontier Police in—	
Definitions	Reg.3,1881,s.2.
Punishments	,, ss.3to5.
,, departmental	,, s.6.
Place of imprisonment	,, s.7.
Prosecutions under other laws not barred, but only one punishment allowed	,, s.8.
Magisterial powers of Police-officers	,, s.9.
CHOTA NAGPUR INCUMBERED ESTATES ACT, 1876 (*See* INCUMBERED ESTATES, VI)	,, Act6,1876.

CHOTA NAGPUR INCUMBERED ESTATES (AMENDMENT) ACT, 1884 . . . . . Act5,1884.
1909 . . . . . Ben.Act3,1909.

CHOTA NAGPUR RURAL POLICE ACT, 1887 [*See* CRIMINAL PROCEDURE (IND.); POLICE, II, III] . . . . Ben.Act5,1887.

CHOTA NAGPUR TENANCY ACT, 1908. (*See* CHOTA NAGPUR; LANDLORD AND TENANT, III; PUBLIC DEMANDS) . Ben.Act6,1908.

CHOTA NAGPUR TENURES ACT, 1869. (*See* LANDLORD AND TENANT, III; LEGAL PRACTITIONER) . . . . . Ben.Act2,1869.

CHOTA NAGPUR.

The Chota Nagpur Division is a Scheduled District . . . Act14,1874,s.1,Sch.I,Pt. III,No.IV. Act15,1874,s.2,Sch.VI, Pt. III.

Bhuinhari and Majhahas Tenures in. *See* LANDLORD AND TENANT, III, B.

Incumbered Estates in. *See* INCUMBERED ESTATES, VI.

Rural police in. *See* POLICE, III, D.

Procedure in suits between landlord and tenant in . . . Ben.Act6,1908.

CHRISTIAN MARRIAGE ACT (INDIAN), 1872 (*See* MARRIAGE) . . . . . Act15,1872.

CHURCH OF ENGLAND.

See BISHOPS AND CLERGY.

CHURCH OF SCOTLAND KIRK SESSIONS.

Kirk Sessions to be bodies corporate . . . . . Act23,1899, s.2.

power of, to hold and dispose of land . . . . . ,, s.3.

CHURCH OF SCOTLAND KIRK SESSIONS ACT, 1899 . Act23,1899.

CITY OF BOMBAY IMPROVEMENT ACT, 1898 [*See* IMPROVEMENT; LAND (IND. LAW); MUNICIPALITY, IX; POLICE, I; TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT] . Bom.Act4,1898.

CITY OF BOMBAY IMPROVEMENT AMENDMENT ACT, 1901 . . . . . Bom.Act4,1901.
1908 . . . . . Bom.Act2,1908.

CITY OF BOMBAY LAND-REVENUE (AMENDING BOM. ACT 2 OF 1876) . . . . . Bom.Act3,1900.

CITY OF BOMBAY MUNICIPAL ACT, 1888 [*See* CUSTOMS; INFECTIOUS DISEASE; MUNICIPALITY, IX; POLICY OF INSURANCE; PUBLIC CONVEYANCE; VACCINATION, III; WEIGHTS AND MEASURES) . . . . . Bom.Act3,1888.

CITY OF BOMBAY MUNICIPAL (AMENDMENT) ACT, 1905 . . . . . Bom.Act5,1905.

CITY OF BOMBAY MUNICIPAL ACT AMENDMENT ACT, 1888 . . . . . Bom.Act4,1888.

CITY OF BOMBAY MUNICIPAL ACT AMENDMENT ACT, 1893 . . . . . Bom.Act1,1894.

CITY OF BOMBAY MUNICIPALITY (AMENDING BOM. ACT 3 OF 1888) . . . . . Bom.Act2,1900. Bom.Act5,1903.

CITY OF BOMBAY MUNICIPAL INVESTMENTS ACT, 1898 (*See* MUNICIPALITY, IX) . . . . . Bom.Act1,1898.

CITY OF BOMBAY POLICE ACT, 1902 [*See* ADMINISTRATION OF ESTATES (IND. LAW); ADMINISTRATOR GENERAL; ANIMAL, B; ARMS, AMMUNITION, ETC.; BROTHEL AND DISORDERLY HOUSE; CRIMINAL LAW (IND.) 6; CRIMINAL PROCEDURE (IND.); CRUELTY TO ANIMALS, 4; DOG; EXCISE; EXPLOSIVE; FIRE, II; GAMING; HOSPITAL; INDIAN MILITARY AND NAVAL FORCES; INFANT; INFECTIOUS DISEASE; MUNICIPALITY, IX; NUISANCE; PLACES OF PUBLIC RESORT OR ENTERTAINMENT; POLICE, I; PORTERS; ROYAL INDIAN MARINE; STOLEN PROPERTY; STREETS, THOROUGHFARES AND PUBLIC PLACES; TRESPASS; UNCLAIMED PROPERTY; WEIGHTS AND MEASURES] . . . . . Bom.Act4,1902.

CITY OF BOMBAY POLICE CHARGES ACT, 1907 . . Bom.Act3,1907.

CIVIL AND CRIMINAL JUSTICE, ADEN (*See* ADEN; CAPITAL PUNISHMENT; EUROPEAN BRITISH SUBJECT; EUROPEANS AND AMERICANS) . . . . . Act2,1864.

CIVIL COURT AMINS ACT, 1856 [1] (*See* CIVIL COURTS, III) Act12,1856.

CIVIL COURTS ACT (BENGAL, N.-W. PROVINCES AND ASSAM), 1887 . . . . . Act12,1887.

" " " (BOMBAY), 1869 . . . . . Act14,1869.

" " " " 1880 . . . . . Act9,1880.

" " " (MADRAS), 1873 . . . . . Act3,1873.

" " " " 1885 . . . . . Act21,1885.

" " " (OUDH), 1879 . . . . . Act13,1879.

" " " AMENDMENT ACT (BOMBAY), 1895 . Bom.Act3,1895.

" " " (SAMBALPUR), 1906 . . . . Ben.Act4,1906.

" " REGULATION (UPPER BURMA), 1896 . . Reg.1,1896.

CIVIL COURTS.

1821. Ben. Reg. 4, s. 7 (Institution of suits by Magistrates).

1827. Bom. Reg. 4, s. 26 (Law to be administered, Bombay Presidency).

1830. Bom. Reg. 13 (Jagirdars, etc., Bombay).

1838. Act 16 (Land Suits, Bombay).

1840. Act 15 (Agents of foreign Sovereigns, etc., Bombay).

1856. Act 12 (Amins, Assam, Bengal and Province of Agra).

1867. Act 16 (Acting Judges).

1869. Act 14 (Civil Courts, Bombay Presidency).

1873. Act 3 (Civil Courts, Madras Presidency).

1874. Act 15, ss. 5 to 7 (Laws Local Extent).

1877. Reg. 1 (Courts, Ajmere).

1879. Act 13 (Civil Courts, Oudh).

" Act 17, s. 2A (Dekkhan Agriculturists).

1882. Act 4, s. 136 (Actionable Claims).

1882. Act 15, s. 31 (Presidency Small Cause Courts).

1884. Act 18 (Courts, Punjab).

1887. Act 12 (Civil Courts, Assam, Bengal, Province of Agra).

1891. Act 14 (Judicial Commissioners, Oudh).

1892. Act 7 (Madras City Civil Court).

1896. U. P. Act 2 (Honorary Munsifs, United Provinces).

" Reg. 1 (Civil Justice, Upper Burma).

" Reg. 9, ss. 3 to 8, 71, 72, 89, 93, 94 (Civil Justice, British Baluchistan).

1897. Act 5, s. 4 (Short Titles).

1900. Act 6 (Courts, Lower Burma).

1901. Reg. 1 (Courts, Coorg).

" Reg. 7 (Law and Justice, North-Western Frontier).

1904. Act 2 (Courts, Central Provinces).

1906. Ben. Act 4, s. 2 (Civil Courts, Sambalpur).

[2] 1910. Bur. Act 1, s. 3 (Process-fees).

[1] This short title was given by Act 5, 1897, s. 4.
[2] Bur Act 1, 1910, will come into force when notified.

CIVIL COURTS—*contd.*

I.—GENERALLY.

II.—AJMERE . . . . . .
III.—AGRA, BENGAL EASTERN BENGAL AND ASSAM . . . .
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- 1. Preliminary.
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  - 1. Preliminary.
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- A.—GENERALLY.
  - 1. Preliminary.
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- B.—COURTS IN ARAKAN HILLS.
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IX.—UPPER BURMA (EXCEPT THE SHAN STATES).
- A.—GENERALLY.
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- B.—COURTS IN HILL TRACTS.
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X.—CENTRAL PROVINCES . . .
- 1. Preliminary.
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XI.—COORG . . . . . .
- 1. Constitution and Jurisdiction.
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XII.—MADRAS PRESIDENCY . . .
- A.—GENERALLY.
- B.—MADRAS CITY CIVIL COURT.
  - 1. Preliminary.
  - 2. Constitution and Jurisdiction.
  - 3. Miscellaneous.
- C.—VILLAGE COURTS.
- D.—COURTS IN CERTAIN TRACTS IN GANJAM AND VIZAGAPATAM.
- E.—DISTRICT PANCHAYATS.

XIII.—NORTH-WEST FRONTIER PROVINCE
- A.—GENERALLY.
  - 1. Constitution and Jurisdiction.
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- B.—COURTS IN UPPER TANAWAL.

XIV.—PUNJAB . . . . . .
- 1. Preliminary.
- 2. The Chief Court.
- 3. Subordinate Courts.
- 4. Miscellaneous.

I.—GENERALLY.

Special Court. *See* WASTE-LAND.
Parsi Matrimonial Courts. *See* MATRIMONIAL CAUSES, C, 2.
Courts in Scheduled Districts. *See* SCHEDULED DISTRICTS.
Power to appoint acting Judges . . . . . Act16,1867.
Officers of, not to buy actionable claim Act4,1882,s.136
Procedure of. *See* CIVIL PROCEDURE.

CIVIL COURTS—*contd.*

II.—AJMERE.

1. Preliminary.

Ajmere to form a single District	Reg.1,1877,s.4.
2. Constitution and Jurisdiction.	
Grades of Courts	Reg.1,1877,s.4.
Appointment and powers of Additional Commissioner	„ s.4A, (ad.Reg. 7of1907, s.2).
Power of Local Government to appoint Subordinate Judges and Munsifs	„ s.5(am. Reg.1, 1910).
Original jurisdiction of Courts	„ ss.6to11 (s.11am. Reg.1, 1910).
Power to invest Subordinate Judge with Small Cause Court powers; application of Provincial Small Cause Courts Act	„ ss.11,12, 23(s.11) am.Reg.1, 1910).
Benches of Judges	„ s.1 (am. Reg.1, 1910).
Appeals	„ ss.14to 16(s.14(*a*) am.Reg.1, 1910).
„ limitation of	„ s.22.
Reference of case to Commissioner or to High Court, North-Western Provinces	„ ss.17to 21.
Chief Commissioner to the highest Court of appeal, but certain references to be made to High Court, North-Western Provinces	„ s.23.
Control over subordinate Courts; distribution and transfer of business	„ ss.24to 26.
Special provisions for hearing suits involving questions regarding succession to estates of taluqdars, thakurs and jagirdars	„ ss.34to37.
3. Miscellaneous.	
Pleaders or mukhtars not to be admitted or enrolled under Legal Practitioners Act	„ s.27.

III.—AGRA, BENGAL AND EASTERN BENGAL AND ASSAM.

1. Preliminary.

Act 12, 1856(Amins; declared in force throughout the Province of Agra, except the Scheduled Districts	Act15,1874,s.7.
„ „ short title given to	Act5,1897,s.4.
Act 12, 1887, extends to the whole of Agra, Bengal (except Sambalpur District), Eastern Bengal and Assam, except territories which are not subject to the ordinary civil jurisdiction of the High Courts	Act12,1887,s.1.
„ extended to Sambalpur District	Ben.Act4,1906,s.2.

CIVIL COURTS—*contd.*

III.—AGRA, BENGAL AND EASTERN BENGAL AND ASSAM—*contd.*

2. Constitution and Jurisdiction.

Classes of Courts	Act12,1887,s.3.
Number of Judges and Munsifs; filling of vacancies; additional Judges	,, ss.4to8.
Administrative control over Courts	,, s.9.
Temporary charge of District Court or office of Munsif	,, ss.10,12.
Transfer of proceedings on vacation of office of Subordinate Judge	,, s.11.
Continuance of proceedings of Court ceasing to have jurisdiction	,, s.17.
Law to be administered	,, s.37.
Local limits of jurisdiction	,, s.13.
Ordinary jurisdiction	,, ss.18,19.
Appeals	,, ss.20,21.
,, transfer of	,, s.22.
Exercise by Subordinate Judge or Munsif of jurisdiction of District Court in certain proceedings	,, ss.23,24.
Small Cause Court powers	,, s.25.

3. Miscellaneous.

Place of sitting	,, s.14.
Vacations	,, s.15.
Seal	,, s.16.
Suspension or removal of Judges or Munsifs	,, ss.26to29.
Ministerial officers	,, ss.30to35.
Power to confer powers of Civil Court on officers	,, s.36(am. Ben.Act4, 1906,s.6).
Judge or Munsif not to try suit in which he is personally interested	,, ss.38,39.
What parts of Act 12, 1887, apply to Provincial Courts of Small Causes	,, s.40.
Assistant Magistrates, etc., to follow procedure prescribed for Collector in instituting suits	(Ben.&E.B.)Ben.Reg.4, 1821,s.7.
Certain sections of Act 12, 1887, not to apply to Honorary Munsifs in Province of Agra	U.P.Act2,1896,s.13.
Civil Court Amins:	
Act 12, 1856, rep. in Bengal and Eastern Bengal; saving of appointments under it and duties of persons holding such appointments in	[1] Ben.Act2,1899.
Number, appointment and remuneration of	Act12,1856,ss.2,3.
Duties of	,, s.5.
Payments by parties for certain work done by	,, ss.8,9.
Act 12, 1856, not to prevent Civil Courts in Agra from employing Revenue-officers on Amin's duties in case of land paying revenue to Government	Act12,1856,s.10.
Courts in Eastern Duars, Assam. *See* EASTERN DUARS.	
Courts in certain exceptional tracts in Bengal. *See* ANGUL DISTRICT, 3, 4; CHITTAGONG HILL TRACTS; CHOTA NAGPUR; SANTHAL PARGANAS.	

[1] Ben. Act 2. 1899, has been extended under Act 14, 1874, to Sylhet when Act 12,1856, had been declared in force under the same Act.

CIVIL COURTS—*contd.*

IV.—OUDH.

1. Preliminary.

Definitions	Act13,1879,s.3. Act14,1891,s.3.

2. Constitution and Jurisdiction.

Grades of Courts	Act13,1879,s.4.
Number of Judges and Munsifs; appointments by whom to be made	,, ss.5,6.
Additional Judges	,, s.7.
Temporary charge of office of District Judge	,, s.8.
Transfer of proceedings on vacation of office of Subordinate Judge	,, s.9.
Status of District Court Control over Courts	,, s.10.
Power to appoint Additional Judicial Commissioner	Act14,1891,s.4.
Local limits of jurisdiction	Act13,1879,s.16.
Original jurisdiction	,, s.17.
Appeals	,, ss.18,19,20.
Small Cause Court powers	,, s.24.
Commissioner of the Division deemed to be the District Judge for purposes of Indian Divorce Act, 1869	,, s.27.
Additional Judicial Commissioner:	
What jurisdiction to be exercised by	Act14,1891,s.5(*1*).
Withdrawal of cases from	,, s.5(*2*).
Law applicable to	,, s.6.
Hearing of cases by Judicial Commissioner and Additional Judicial Commissioner sitting together; procedure in case of difference of opinion	,, ss.8,9

3. Miscellaneous.

Ministerial Officers	Act13,1879,ss.11,12,32to35.
Seal	,, s.13.
Place of sitting	,, s.14.
Judge, etc., not to try suit, etc., in which he is personally interested	,, s.23.
Suspension or removal of Judges, etc.	,, ss.28to31,35.
Power to make rules as to petition-writers	,, s.36.
Vacations	,, s.38.
Certain sections of Act 13, 1879, not to apply to Honorary Munsifs	U.P.Act2,1896,s.13.

V.—UNITED PROVINCES.

1. Honorary Munsifs.

Definitions	U.P.Act2,1896,s.13.
Appointment and status of, and Benches of Munsifs	,, ss.4to6,9.
Jurisdiction of, and transfer of cases to	,, ss.7,8.
Judgments and orders of; execution of decrees of	,, ss.10,11.
Code of Civil Procedure how far applicable to	,, ss.9,11.
Certain sections of Act 13, 1879, and Act 12, 1887, not to apply to	,, s.12.
Ministerial Officers of Courts of	,, s.12.

CIVIL COURTS—*contd.*

V.—UNITED PROVINCES—*contd.*

2. Village Courts.

See VILLAGE COURTS, II.

VI.—BOMBAY PRESIDENCY.

A.—GENERALLY.

1. Preliminary.

Act 16, 1838, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts	Act15,1874,s.5.
Act 14, 1869, applies to territories, other than Sindh, in which Code of Civil Procedure is in force	Act14,1869,s.1.
Power to extend Act 14, 1869, to excepted territories	
„ create, and alter limits of, districts	„ s.3.
„ fix position of sadr station	„ s.4.
Law to be administered by Courts	Bom.Reg.4,1827,s.26.
Bom. Reg. 4, 1827, s. 26, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts.	Act15,1874,s.5.

2. District Courts.

District Court for each District; appointment, etc., of Judge	Act14,1869,s.5.
Place of sitting	„ s.6.
Jurisdiction of	„ ss.7,8.
Certain Government suits to be referred to	„ s.32.
Control and inspection of other Courts by	„ s.9.
Duties of Judge as to references, etc., to High Court, furnishing of returns, etc.	„ ss.9,10.
Seal of Judge	„ s.11.
Joint Judge; appointment, powers, etc., of	„ ss.12,13 (s.12rep.pt. Bom.Act1, 1910,s.3).

3. Other Courts.

Assistant Judges:	
Appointment, etc., of	„ s.14.
Place of sitting	„ ss.15,19.
Jurisdiction of, and appeals from	„ ss.16,17,18.
Investment of, with powers of District Judge	„ s.19.
Seal of	„ s.20.
Subordinate Courts:	
Number of Courts	„ s.21.
Classes of Judges	„ s.24.
Appointment of Subordinate Judges and Joint Subordinate Judges	„ ss.22,23.
Jurisdiction of, and appeals from	„ ss. 22A,24to 27.
Jurisdiction of, and provisions applicable to, Joint Subordinate Judges	„ s. 23.
Place of sitting	„ s.23.
Small Cause Court; powers of	„ s.28.
Seal of Judge	„ s.29.

CIVIL COURTS—*contd.*

VI.—BOMBAY PRESIDENCY—*contd.*

A.—GENERALLY—*contd.*

3. Other Courts—*contd.*

To refer Government suits to District Judge, except in certain cases . . . . . Act14,1869,s.32..
Commission of inquiry into misconduct of Judge; application of Act 37, 1850 . . . . . ,, s.33..
Suspension or removal of Judge . . . . . ,, s.34..

4. Miscellaneous.

Suits relating to tenures or right to possession of land to be brought in Civil Courts and not in Revenue Courts . . Act16,1838,s.1(*1*).
Bar to jurisdiction of Civil Courts in certain cases. *See* LAND-REVENUE, VI.
Procedure where Judge in whose Court suit is instituted considers he has no jurisdiction to try it, or where superior Court finds that Subordinate Court had no jurisdiction . . . . ,, ss.2to5..
Temporary vacancies in office of Judge . . . . . Act14,1869,ss.35to37..
Ministerial officers . . . . . ,, ss.38to40..
Petition-writers; licensing of . . . . . ,, s.41A..
Rules of High Court as to keeping proceedings and granting copies . . . . . ,, s.41..
Process-fees . . . . . ,, s.42..
Holidays and vacation . . . . . ,, s.43..

B.—PARTICULAR COURTS.

Jagirdars, Saranjamidars and Inamdars:
Bom. Reg. 13, 1830, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts Act15,1874,s.5..
Power of Local Government to grant sanads to Jagirdars, Saranjamidars and Inamdars, empowering them to try suits; power to withdraw sanads . . . . . Bom.Reg.13,1830,s.1.. App.A.
Exclusive jurisdiction of, in the local area, subject to their authority; exceptions in case of Europeans, etc. . . ,, s.2..
To pass written decree . . . . . ,, s.2(*3*)..
Appeal from decision of, when and to whom to lie . . . ,, ss.3(*1*)to(*3*),5.
Decree of, not to be set aside for mere irregularity . . . ,, s.3(*4*).
Execution of decrees of . . . . . ,, s.41..

Agents of foreign Sovereigns, etc.:
Bom. Reg. 13, 1830, applied to agents of foreign Sovereigns, and may be applied to guardians and other persons by order of Local Government; power to withdraw application of Regulation in such cases . . . . . Act15,1840..
Act 15, 1840, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts . . Act15,1874,s.5..
Authorities vested with powers under Bom. Reg. 13, 1830, and Act 15, 1840, to be Subordinate Judges for purposes of Dekkhan Agriculturists' Relief Act, 1879 . . . . . Act17,1879,s.2A.

Other Special Tribunals:
See ADEN, 2; DEKKHAN, ETC.; MAMLATDAR'S COURT; SINDH.

CIVIL COURTS—*contd.*

VII.—BRITISH BALUCHISTAN.

Law to be administered	Reg.9,1896,s.89.
Grades and number of Courts	„ ss.3,5(*1*).
Appointment of presiding officers	„ s.4.
Local limits of jurisdiction	„ s.5(*2*).
Ordinary jurisdiction	„ s.6.
Judicial Commissioner to be High Court	„ s.7(*1*).
Deputy Commissioner to be District Court	„ s.7(*2*).
Chief Court of Punjab and Deputy Commissioner to be High Court and District Judge, respectively, for purposes of Indian Divorce Act, 1869	„ s.7(*3*).
Control over Courts	„ s. 8.
Distribution of business and transfer of proceedings	„ ss.71,72.
Conferment of powers of Deputy Commissioner on Assistant Commissioner or Extra Assistant Commissioner	„ s.93.
Small Cause Court powers	„ ss.6,94.

VIII.—LOWER BURMA.

A.—GENERALLY.

1. Preliminary.

Definitions	Act6,1900,s.2.
Constitution and alteration of civil divisions, districts, sub-divisions and townships	„ s.23.

2. The Chief Court.

See CHIEF COURT OF LOWER BURMA.

3. Subordinate Courts.

All other Civil Courts, Lower Burma, to be Subordinate to Chief Court	„ s.18(*1*).
Grades of, and subordination of, Civil Courts	„ s.21.
Establishment of Divisional, District, Sub-divisional and Township Courts	„ s.24.
Appointment of Judges and Additional Judges	„ s.34.
Superintendence and control of Divisional and District Courts over subordinate Courts	„ s.22.
Original civil jurisdiction of Courts	„ s.25.
Divisional Court to be deemed the District Court under the Indian Divorce Act, 1869	„ s.25(*d*).
Power to invest Courts with Small Cause Court powers	„ s.26
Small Cause Court of Rangoon; power to enhance jurisdiction of, to two thousand rupees; appeal	„ s.27(sub. Bur.Act7,1907,s.2).
Appellate jurisdiction of Divisional and District Courts	Act6,1900,s.28.
Period of limitation for appeals to Divisional Court	„ s.29.
Transfer of cases and distribution of business	„ ss.31,32.
Ministerial officers	„ s.35.

4. Miscellaenous.

Judge not to try cases in which he is personally interested; procedure in such cases	Act6,1900,s.33.

CIVIL COURTS—*contd.*

VIII.—LOWER BURMA—*contd.*

A.—GENERALLY—*contd.*

4. Miscellaneous—*contd.*

Place of sitting of Courts	Act6,1900,s.36.
Seal of Courts	„ s.37.
Vacations	„ s.38.
Language of Courts	„ s.39.
Right of audience of Advocates of abolished Courts preserved	„ s.40.
Transfer of business of abolished Court	„ s.42.
Power to make rules as to service of process	„ s.46. [1]Bur.Act1,1910,s.3.
Provisions for pending proceedings	Act6,1900,ss.43to45.
Saving of Regulations in force in hill district of Arakan	„ s.3.

B.—COURTS IN ARAKAN HILLS.

See ARAKAN HILLS, 2.

C.—VILLAGE COURTS. (*See* VILLAGE COURTS, I.)

IX.—UPPER BURMA (EXCEPT THE SHAN STATES).

A.—GENERALLY.

1. Preliminary.

Definitions	Reg.1,1896,s.3.
Power to exempt tracts or districts from Reg. 1, 1896	„ s.1(*2*).

2. Constitution and Jurisdiction.

Grades of Courts; superintendence and control	„ s.8.
Establishment of Courts	„ s.9.
Judges and Additional Judges	„ ss.17to19 (s.17am.Reg. 3,1905,s.3).
Law to be administered	„ s.4.
Area of jurisdiction of each Court	„ s.9.
Ordinary original jurisdiction	„ s.10(sub. Reg.8,1900, s.2).
Small Cause Court powers	„ s.11.
Judicial Commissioner to have powers of High Court	„ s.12(*1*).
Appeals; second appeal on same grounds as first appeal in certain cases	„ s.12(am. Act13,1898, Sch.3),s.13 (sub.Reg.5, 1903,s.2).
Power of Courts to distribute business and to transfer and withdraw cases	„ s.15(sub. Reg.3,1905, s.2).
Transfer of pending cases	„ s.23.
Continuance of jurisdiction when business transferred to another Court	„ s.16.

[1] Bur. Act 1, 1910, will come into force when notified.

CIVIL COURTS—*contd.*

IX.—UPPER BURMA (EXCEPT THE SHAN STATES)—*contd.*

A.—GENERALLY—*contd.*

3. Miscellaneous.

Judge not to try cases, etc., in which he is personally interested	Reg.1,1896,s.20.
Place of sitting; seal	,, ss.21,22
Holidays	,, s.34.
Appointment and judicial powers of Registrar	,, s.33.
Power to make rules	,, s.30(rep. pt.Bur. Act1,1910,s.4).
Control over Advocates. *See* LEGAL PRACTITIONER, 6.	[1] Bur.Act1,1910,s.3.

B.—COURTS IN HILL TRACTS.

See CHIN HILLS, 3, 4, 7; KACHIN HILLS, 3, 4, 7.

C.—VILLAGE COURTS (*See* VILLAGE COURTS, I.)

X—CENTRAL PROVINCES.

1. Preliminary

Definition of "value"	Act2,1904,s.2.

2. Constitution and Jurisdiction.

(*a*) COURT OF JUDICIAL COMMISSIONER.

To be highest Civil Court of appeal	Act2,1904,s.3(sub. Act11, 1910,s.2).	
Constitution of; appointment of Judicial Commissioner and additional Judicial Commissioners	,, s.4.	(sub.Act11,1910,s.2.)
Rank and precedence of Judges; Senior Judge	,, s.4A.	
Appellate jurisdiction of	,, s.15(*b*).	
Exercise of jurisdiction by single Judges and benches: Judge when competent to try appeal against decision passed by himself	,, ss.5,5A(*2*),6.	
Full bench; constitution of; power to refer questions to	,, ss.5A,5C.	
Rule of decision when Judges differ	,, s.6A.	
Power of Judicial Commissioner to transfer case	,, s.5B.	
Appointment of Registrar and ministerial officers	,, s.7.	
Power to make rules	,, s.8.	

(*b*) SUBORDINATE CIVIL COURTS.

Classes of Courts	,, s.10.
Constitution and alteration of civil divisions and civil districts	,, s.11.
Establishment of Courts	,, s.12.
Appointment of Judges, Subordinate Judges, Additional Judges and Munsifs	,, ss.21to23 (s.22am.Act 11,1910,s.7).
Original jurisdiction of Courts	,, s.13(am. Act11,1910, s.3).

[1] Bur. Act 1, 1910, will come into force when notified.

CIVIL COURTS—*contd.*

X.—CENTRAL PROVINCES—*contd.*

2. Constitution and Jurisdiction—*contd.*

(*b*) SUBORDINATE CIVIL COURTS—*contd.*

Jurisdiction under the Provincial Small Cause Courts Act, 1887	Act2,1904,ss.14(sub. Act11,1910, s.4),18(2).
Appellate jurisdiction of Courts	,, s.15(am. Act11,1910, s.5).
Limitation of appeals	,, s. 16.
Superintendence and control over Courts	,, s. 17 (am. Act11,1910, s.6).
Transfer of cases	,, s.18.
Distribution of business	,, s.19.
Appointment and punishment of ministerial officers	,, s.24.

3. Miscellaneous.

Judges not to try cases in which they are personally interested	,, s.20.
Power of Court of Judicial Commissioner to make rules as to petition-writers, translation, inspection, expenses of witnesses, fees to commissioners, functions of ministerial officers, forms, etc.	,, s.8(sub. Act11,1910, s.2).
Court of Judicial Commissioner to keep registers, etc., and to comply with requisitions from Local Government for papers	,, s.9(sub. Act 11, 1910, s.2).
Place of sitting of Courts	,, s.25.
Vacations	,, s. 26 (am. Act11,1910, s.7).
Seal of Courts	,, s. 27.

XI.—COORG.

1. Constitution and Jurisdiction.

Grades of Courts	Reg.1,1901,s.2.
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Control over subordinate Courts	,, s.7(3).
Original jurisdiction	,, ss.6,8.
Power to invest Munsifs with Small Cause jurisdiction	,, s.18.
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Distribution of business among subordinate Courts	,, s.13.

2. Miscellaneous.

Presiding officer not to try suit or appeal in which he is personally interested	,, ss.14,15.
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Power of Judicial Commissioner to hold his Court anywhere in or beyond Coorg	,, s.19.

CIVIL COURTS—*contd.*

XII.—MADRAS PRESIDENCY.

A.—GENERALLY.

1. Preliminary.

Act 3, 1873, extends to the whole Presidency except the tracts under the Agents of Ganjam and Vizagapatam	Act3,1873,s.1.

Constitution and Jurisdiction.

Number of District Courts, Subordinate Judges and Munsifs	,, ss.3,4.
Filling of vacancies in office of Judge or Munsif	,, ss.6,7,26.
Temporary discharge of duties of District Judge	,, s.25.
Control over Courts	,, s.27.
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Valuation of suits, etc., for purposes of jurisdiction	,, s. 14.
Power to require oath or affirmation	,, s.15.
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3. Miscellaneous.

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B.—MADRAS CITY CIVIL COURT.

1. Preliminary.

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2. Constitution and Jurisdiction.

Power to establish Court; its jurisdiction	,, s.3.
Appointment, etc., of Judges	,, s.4.
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Powers, etc., of Judges when more than one	,, s.6.
Application of law administered by High Court	,, s.8.
Valuation of immoveable property for purposes of jurisdiction	,, s.9.
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Saving of jurisdiction of High Court	,, s.16.

3. Miscellaneous.

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CIVIL COURTS—*contd.*

XII.—MADRAS PRESIDENCY—*contd.*

B.—MADRAS CITY CIVIL COURT—*contd.*

3. Miscellaneous—*contd.*

Appointment of Receivers	Act7,1892,s.11.
Execution by City Court of decree of Madras Small Cause Court	Act15,1882,s.31.
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C.—VILLAGE COURTS.

See PANCHAYAT; VILLAGE COURTS, 1.

D.—COURTS IN CERTAIN TRACTS IN GANJAM AND VIZAGAPATAM.

See GANJAM AND VIZAGAPATAM.

E.—DISTRICT PANCHAYATS.

See PANCHAYAT.

XIII.—NORTH-WEST FRONTIER PROVINCE.

A.—GENERALLY.

1. Constitution and Jurisdiction.

Judicial Commissioner's Court:	
Tudicial Commissioner; appointment of; to be higliest Civil Court of appeal	Reg.7,1901,s.2(2).
Civil jurisdiction; procedure in exercise of; certain provisions of Code of Civil Procedure not to apply	,, s.46.
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Transfer of appeal or application for revision, where Judicial Commissioner himself passed the decree or order complained of, or is interested therein	,, s.87A(add. Reg.1,1906).
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Divisional Courts and District Courts; establishment of; appointment of Divisional and District Judges and Additional Judges	,, ss.49,50, 86.
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CIVIL COURTS—*contd.*

XIII—NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—GENERALLY—*contd.*

1. Constitution and Jurisdiction—*contd.*

Suspension and removal of Divisional Judges, District Judges, Subordinate Judges and Munsifs	Reg.7,1901, s.70.
Appeals from decrees and orders of; second appeal on same ground as first appeal in certain cases; limitation	,, ss.77 to 82.

2. Miscellaneous.

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References to "Chief Controlling Revenue-authority," "Chief Revenue-authority," "Financial Commissioners", "a Financial Commissioner of the Punjab" and "Commissioner" construed as referring to Revenue Commissioner	,, s.6(*1*)(*d*),(*e*),(*f*).
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Ministerial officers	,, ss.43,44(*1*)(*g*), 74, 75.
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B.—COURTS IN UPPER TANAWAL.

See UPPER TANAWAL.

XIV.—PUNJAB.

1. Preliminary.

Definitions	Act 18,1884,s.3.
Constitution and alteration of divisions and districts	,, s.18.

2. The Chief Court.

See CHIEF COURT OF THE PUNJAB.

3. Subordinate Courts.

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CIVIL COURTS—*concld.*

XIV.—PUNJAB—*contd.*

3. Subordinate Courts—*contd.*

Divisional Courts and District Courts—*contd.*

Power to confer Small Cause Court powers on District Judge	Act 18, 1884, s. 30.
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4. Miscellaneous.

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CIVIL COURTS OF SMALL CAUSES.

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CIVIL JUSTICE REGULATION (ARAKAN HILLS), 1874 (*See* ARAKAN HILLS)	Reg. 8, 1874.
CIVIL JUSTICE REGULATION (BRITISH BALUCHISTAN), 1896 (*See* CIVIL COURTS, VII; CIVIL PROCEDURE, 12)	Reg. 9, 1896.
CIVIL JUSTICE AMENDMENT REGULATION (ARAKAN HILLS), 1876 (*See* ARAKAN HILLS)	Reg. 5, 1876.

CIVIL PROCEDURE.

1875. Act 20, ss. 11, 12 (Laws, Central Provinces).
1877. Reg. 1, ss. 28 to 30, 32 (Courts, Ajmere).
1884. Act 18, ss. 16, 35, 40, 68, 70 (Courts, Punjab).
1887. Act 9, ss. 17, 34 (Provincial Courts of Small Causes).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1896. Reg. 1, ss. 5 to 7, 24, 30, 31, 35, 37, 38 (Civil Justice, Upper Burma).
1896. Reg. 9 (Civil Justice, British Baluchistan).
1900. Act 3, ss. 34 to 48 (Prisons).
1900. Act 6, s. 39 (Courts, Lower Burma).
1901. Reg. 1, ss. 11, 12 (Courts, Coorg).
1901. Reg. 7, ss. 46, 73, 78, 79, 84 (Law and Justice, North-West Frontier).
1908. Act 5 (Civil Procedure).
1910. Act 9, s. 25 (Electricity).

1. Preliminary.
2. Suits in general.
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4. Suits in particular cases.
5. Provisional Remedies.
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CIVIL PROCEDURE—*contd.*

1. Preliminary.

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CIVIL PROCEDURE—*contd.*

2. Suits in general—*contd.*

Processes—*contd.*

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„ „ „ where witness in prison, etc.	Act3,1900,ss.34to43.
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CIVIL PROCEDURE—*contd.*

2. Suits in general—*contd.*

Execution of decrees—*contd.*

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3. Incidental Proceedings.

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CIVIL PROCEDURE—*contd.*

3. Incidental Proceedings—*contd.*

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„ „ „ minors or persons of unsound mind	„ Sch.I,O.32.
„ „ „ „ „ „ Consent or agreement on behalf of	„ s.147.
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5. Provisional Remedies.

Arrest before judgment	Act5,1908,s.94(*a*),Sch.I,O.37,r.8(2),O.38,rr.1to4,App.F.,Forms1to4.
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CIVIL PROCEDURE—*contd.*

5. Provisional Remedies—*contd.*

Interlocutory orders	Act5,1908	s.94(*e*),Sch.I, O.38.rr.6to 10.
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6. Special Proceedings.

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7. Appeals.

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CIVIL PROCEDURE—*contd.*

7. Appeals—*contd.*

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8. Reference, Revision and Review.

Reference to, and revision by, High Court	„	ss. 113, 115, Sch. I, O. 46.
Review of judgment	„	s. 114, Sch. I, O. 47, App. G, Form 14.

9. Special Rules relating to the Chartered High Courts.

Act 5, 1908 (Code of Civil Procedure), to apply to such Courts, except as specially provided	„	s. 117, Sch. I, O. O. 49, r. 3.
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10. Rules.

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„ „ „ procedure for making; sanction and publication	„	ss. 123 to 127.
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11. Miscellaneous Provisions.

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CIVIL PROCEDURE—*contd.*

11. Miscellaneous Provisions—*contd.*

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12. Special and Local.

Act 5, 1908 (Code of Civil Procedure), does not extend *proprio vigore* to Scheduled Districts	"	s. 1
Code not to affect any special or local law or any remedy of landholder or landlord for recovery of rent of agricultural land from the produce thereof	"	s. 4
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Code not to affect any special jurisdiction or procedure	"	s. 4(1).
Code modified. (*See* ACT 5, 1908, s. 158)—		
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Certain persons deemed to be "recognized agents," in addition to those mentioned in Code	Reg. 1, 1877, s. 28.	
Mode of recording evidence in suits between landlord and tenant	Reg. 1, 1877, s. 29 (am. Reg. I, 1910).	
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CIVIL PROCEDURE—*contd.*

12. Special and Local—*contd.*

British Baluchistan—*contd.*

The hearing; taking of evidence . . . . . Reg.9,1896,ss.43to45.
Filing of documents admitted in evidence . . . . . ,, s.62.
Mode of admission in evidence of entry in book . . . . . ,, s.63.
Judgments . . . . . ,, ss.46to53.
Amount of interest allowable . . . . . ,, s.50.
Injunctions . . . . . ,, ss.54to57.
Power to add parties . . . . . ,, s.58.
Certain suits triable with the aid of assessors . . . . ,, s.59.
Execution of decrees . . . . . ,, ss.64to66.
Appeal, revision and review . . . . . ,, ss.67to70,73.
Reference to arbitration . . . . . ,, ss.74to87.
Disposal of pending cases . . . . . ,, s.88.
Power of Judicial Commissioner to make rules . . . . ,, s.90.
Procedure prescribed for suits to be followed in other proceedings . . . . . ,, s.91.
Mere irregularity not to invalidate proceedings . . . . ,, s.92.
References in Indian Limitation Act to Code of Civil Procedure to be read as applying to Reg. 9, 1896 . . . ,, s.95.

Lower Burma (except Arakan Hills):

Language of plaints and of record of evidence in Courts in . Act 6,1900,s.39.

Upper Burma (except the Shan States):

"Recognized agents" . . . . . Reg.1,1896,s.37.
Certain suits triable with the aid of assessors . . . . ,, s.5.
Saving of prior proceedings . . . . . ,, s.7.
Execution of, and appeals from, past decrees and orders . ,, s.24.
Power to make rules as to process-fees, expenses of witnesses and assessors, copies, translations, petition-writers and judicial powers of ministerial officers . . . . . Reg.1,1896,ss.30,(rep.pt. [1]Bur.Act1,1910,s.4),38. [1]Búr.Act1,1910,s.3.
Judicial Commissioner to comply with requisitions of Local Government for records, etc. . . . . Reg.1,1896,s.31.
Language of Courts . . . . . ,, ss.30(*d*),35.

Coorg:

Provisions relating to second appeals in Code modified in . Reg.1,1901,ss.11,12.

Practice in granting probates and letters of administration. *See* ADMINISTRATION (IND. LAW), 2.

Special procedure under laws relating to landlord and tenant:

See LANDLORD AND TENANT, II, A, 3; III, A, 6; B; IV, A, 6; B; VI, 3; VIII, A, 3; IX, 6; X, 3; XI, A, 6.

Special procedure under laws relating to land-revenue:

See LAND-REVENUE, II, 6; III, 2, 3(*a*), (*b*), (*c*); 5; IV; V, A, 2, 3(*a*), (*b*), (*c*); B, 2, 3, 4, 5; VI; VII, A, 3(*b*), 6; C; VIII, 3, 5; IX, 4; X, 1; XI, 2, 3(*d*); XII, 7; XIII, 4(*b*); XIV; XV, 2, 4, 5; XVI, 2, 3(*a*), (*d*), 5.

For other special and local laws, see ADEN, 2; ANDAMAN AND NICOBAR ISLANDS, (3); ANGUL, 4; ARAKAN HILLS, 2; BENARES, 1; CENTRAL PROVINCES, 2; CHIEF COURT OF LOWER BURMA; CHIEF COURT OF THE PUNJAB; CHITTAGONG HILL

[1] Bur. Act 1, 1910, will come into force when notified.

CIVIL PROCEDURE—*contd*

TRACTS; CHOTA NAGPUR; CIVIL COURTS, V, 1; VI, B, XIIIA, 1; DEKKHAN, ETC.; DEKKHAN AGRICULTURIST, 2, 3, 5; EASTERN DUARS; FOREST, 7; GANJAM AND VIZAGAPATÁM; INDIGO; LUNATIC, 2, 3; MAMLATDAR'S COURT; MATRIMONIAL CAUSES, A, 3; B, 2; C; MERCHANT SHIPPING, 8 (*a*); MORTGAGE, 1; OUDH, 2; PANCHAYAT; PARTITION; PUBLIC OFFICER; PUBLIC WORKS; RAILWAY, 5 (*a*); SANTHAL PARGANAS; SCHEDULED DISTRICTS; SINDH; SMALL CAUSE COURTS, A, 2; B, 3, 5; VILLAGE, F, 1 (*b*); VILLAGE COURTS; WASTE LAND.

CIVIL SERVICE OF INDIA. *See* GOVERNMENT OF INDIA, 2 (*j*).

CLERGY. *See* BISHOPS AND CLERGY.

CLOSING OF RAILWAY. *See* RAILWAY, 4.

CLOSING OF TRAMWAY. *See* TRAMWAY, 6 TRAMWAYS, A, 6, 7.

COAL. *See* MINES AND MINERALS.

COASTING TRADE.

Freedom of foreign ships to engage in . . . . . 16-7V.c.107,s.329,Act5, 1850.

Act 5, 1850, declared in force throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.

Power to regulate . . . . . 57-8V.c.60,s.736.

Regulation of. *See* CUSTOMS (SEA), 2 (*d*).

Customs-duties on what articles leviable. *See* CUSTOMS (SEA), 1.

COASTING VESSELS, BOMBAY (*See* MERCHANT SHIPPING, 4) Act19,1838.

COAST LIGHTS ACT (BURMA), 1879. (*See* MERCHANT SHIPPING, 10) Act9,1879.

COAST LIGHTS ACT (MADRAS), 1904. (*See* MERCHANT SHIPPING, 10) . . . . . Act9,1904.

COCOS ISLAND. *See* LITTLE COCOS ISLAND.

CODE OF CIVIL PROCEDURE, 1908 [*See* ADVOCATE GENERAL; ATTACHMENT; CIVIL PROCEDURE; COMPANY; COURT-FEES, 3; ENDOWMENT; EVIDENCE, II; INDIAN MILITARY AND NAVAL FORCES; JUDICIAL COMMITTEE; LANDLORD AND TENANT (GENERALLY); LAND-REVENUE, I; LEGAL PRACTITIONER; MORTGAGE; NEGOTIABLE INSTRUMENTS; OATH AND AFFIRMATION; PARTITION AND UNION OF IMMOVEABLE PROPERTY; PARTNERSHIP; PAUPER; PENSIONS AND GOVERNMENT GRANTS; PRISONER (IND. LAW); SMALL CAUSE COURTS] . . . . . Act5,1908.

CODE OF CRIMINAL PROCEDURE, 1898 [*See* ADVOCATE GENERAL; ARMS, AMMUNITION AND MILITARY STORES; ATTACHMENT; BAIL; CAPITAL PUNISHMENT; COMPOUNDING OFFENCES; COMPULSORY LABOUR; CRIMINAL LAW (IND.); CRIMINAL PROCEDURE (IND.); DRUGS; EUROPEAN BRITISH SUBJECT; EVIDENCE, II, 6; FOOD AND DRINK; HABEAS CORPUS; INDIAN MILITARY AND NAVAL FORCES; JUSTICE OF THE PEACE; LEGAL PRACTITIONER; POST OFFICE (IND. LAW); PRISONER (IND. LAW); RAILWAY; RAPE; ROYAL INDIAN MARINE; STATE PRISONER; TELEGRAPH; VOLUNTEER; WEIGHTS AND MEASURES; YOUTHFUL OFFENDER . . . Act5,1898.

COFFEE-STEALING PREVENTION ACT (MADRAS), 1878 . Mad.Act8,1878.

COFFEE.

Madras Act 8, 1878 [1], may be extended to any place in Madras Presidency by notification	(Co.,Mad.)	Mad.Act8,1878, s. 2.
Definitions		Mad.Act,8,1878,s.3.
Not to be purchased, taken in barter, exchanged or received— from labourer employed on coffee-estate	„	s.4.
from other person, unless particulars immediately recorded; exception as to coffee purchased, etc., for *bonâ fide* consumption; additional particulars to be recorded when coffee purchased, etc., from carrier	„	ss.5,7.
Person in charge of coffee estate—		
to keep books; penalty	(Mad.)	Mad.Act8, 1878,ss.5A, 15,17.
to furnish returns and supply information; penalty	(Mad.)	Mad.Act8,1878,ss. 15,17.
Inspection of records	(Co., Mad.) „	s.6.
Penalty for breach of ss. 4 to 7	„	s.8.
„ on labourer found in possession of green coffee for which he cannot account	„	ss.9,13.
Not to be carried from coffee-estate, etc., without written permission of owner or his agent; penalty	„	s.10.
Not to be gathered or removed between sunset and sunrise; penalty	„	ss.11,12.
Disposal of fines; rewards to informers	„	s.14.
Power to make rules for carrying out purposes of Act	(Mad.) „	s.16.

COFFEE-HOUSE. *See* PLACES OF PUBLIC RESORT, ETC.

COGNIZABLE CASE AND COGNIZABLE OFFENCE defined. *See* WORDS AND PHRASES.

COINAGE ACT {1870, 1891} (*See* COINAGE, I)	33-4V.c,10. 54-5V.c.72.
COINAGE ACT (INDIAN), 1906 (*See* COINAGE, II)	Act3,1906.
COINAGE (COLONIAL OFFENCES) ACT, 1853 [2] (*See* COINAGE, I)	16-7V.c.48.

COINAGE.

I.—ENGLISH LAW.

Extension to British Possessions of Acts 2 & 3 Will. 4, c. 34, and 7 Will. 4 & 1 Vict., c. 90, as to offences in relation to coin, except where other provisions are made by Local Legislatures	16-7V.c.48.
Coinage Act, 1870	33-4V.c.10.
„ „ 1891	54-5V.c.72.
Extent of Act	33-4V.c.10,ss.19,11(9).
Standard of coins; remedy allowed	54-5V.c.72, ss.2,3.
Legal tender	33-34V.c.10,ss.4,6,11(*1*),(*6*),(*7*),(*8*).
Coining of bullion by Mint	„ ss.8,9,10.
Denominations, designs, dimensions of coins; calling in diminished coins	„ s.11(*1*),(*2*),(*3*),(*5*).
Cutting, etc., diminished or called-in coin	„ s.7.

[1] Mad. Act 8, 1878 (but not the amending Act, Mad. Act 2, 1900), has been extended to Coorg by notification under the Scheduled Districts Act, 1874.

[2] This short title was given by 59 & 63 Vict. c. 14.

COINAGE—*contd.*

I.—ENGLISH LAW—*contd.*

Coinage Act—*contd.*

Exchange of diminished gold coin	54-5V.c.72,s.1.
Prohibition of other coins and tokens	34-34V,c.10,s.5.
Regulations by Her Majesty by proclamation	,, s.11.
,, by the Treasury	,, s.13.
Trial of the pyx	,, s.12.
Master and officers of Mint	,, ss.14,15.
Standard trial plates and weights	,, ss.16,17.
Legal proceedings	,, s.18.

II.—INDIAN LAW.

1. Coins of Government of India.

Act 3, 1906, extends to whole of British India including British Baluchistan, Santhal Parganas and Spiti	Act 3,1906,s.1.
Definitions	,, s. 2.
Mint; establishment and abolition of	,, s.3.
What coins may be coined at Mint; standard, weight and fineness of coins; remedy allowed	,, ss.4to9,23.
Dimensions and designs of coins	,, s.10.
Legal tender; what coins to be	,, ss.11to15.
Cutting, etc., diminished, counterfeit or called-in coin	,, ss.16to20.
Bar to proceedings for acts done under Act in good faith	,, s.22.
Power to give directions and make rules for working of Act	,, s.21.

2. Coins of Native States.

Coinage of money for Native States at Mint in British India; power to declare such money to be legal tender in British India	Act9,1876

3. Metal Tokens.

Act 1, 1889, declared in force in Upper Burma, except the Shan States	Act13,1898,s 4.
Definition of "issue"	Act 1,1889,s.2.
Prohibition of making by private persons of pieces of metal to be used as money	,, s.3.
Penalty for unlawful making, issue or possession of such pieces; cognizance of offences	,, ss.4,5.
Penalty for importation of such pieces	,, s.6.
Prohibition of receipt by Local Authorities or Railway Administrations as money of metal which is not coin	,, s.8.

4. Miscellaneous.

Prohibition of importation of counterfeit coin or coin not of established standard	Act8 1878,s.18(5).

Offences relating to coin. *See* CRIMINAL LAW (INDIAN), 10.

COLLECTION OF LAND-REVENUE.

Beyond district in which it accrued. *See* LAND-REVENUE, I.

See UNDER LAND-REVENUE.

COLLECTION OF TAXES BY RAILWAY ADMINISTRATIONS. (*See* CANTONMENT; MUNICIPALITY, XVII; RAILWAY) . . . . . U.P.Act2,1899.

COLLECTOR.

Defined. *See* WORDS AND PHRASES.

See LAND-REVENUE, III, 2; IV; V, A, 2; B, 2; VII, A, 2; VIII, 2; XIII, 2; XVI, 2.

COLLISION. *See* MERCHANT SHIPPING, 7 (*d*).

COLONIAL BISHOPS ACT, 1852. [1] 15-6V.c.52.
" " " 1853 [1] 16-7V.c.49.
COLONIAL CLERGY ACT, 1874. 37-8V.c.77.
(*See* BISHOPS AND CLERGY; OATH AND AFFIRMATION).

COLONIAL COPYRIGHT ACT, 1847. [1] (*See* COPYRIGHT) . 10-1V.c.95.

COLONIAL COURTS OF ADMIRALTY ACT, 1890. (*See* COLONIAL COURT OF ADMIRALTY, ETC.; FOREIGN JURISDICTION; JUDICIAL COMMITTEE; PRIZE; SLAVE TRADE) . . 53-4V.c.27.

COLONIAL COURTS OF ADMIRALTY (INDIA) ACT, 1891 (*See* ADEN; COLONIAL COURT OF ADMIRALTY, ETC.; COURT-FEES 2; HIGH COURT; SIND . . . . . Act16,1891.

COLONIAL COURT OF ADMIRALTY AND VICE-ADMIRALTY COURT.

1870. 33-4 V. c. 90, ss. 14 to 24, 27, 30 (Foreign Enlistment).
1890. 53-4 V. c. 27 (Colonial Courts of Admiralty).
1891. Act 16 (Colonial Courts of Admiralty, India).
1894. 57-8 V. c. 39, ss. 3, 4 (Prize Courts).

Definition of Colonial Court of Admiralty and abolition of Vice-Admiralty Courts . . . . . 53-4V.c.27,ss.2(*1*),17.

Power of Colonial legislature, by law reserved for Her Majesty's assent, to constitute Courts, Colonial Courts of Admiralty and to limit jurisdiction . . . . . " ss.3,4.

Certain Indian Courts declared to be Colonial Courts of Admiralty Act16,1891,s.2.

Construction of Indian Acts referring to Admiralty and Vice-Admiralty Courts . . . . . " s.3.

Jurisdiction of Courts—

generally . . . . . 53-4V.c.27,s.2.

as to offences punishable on indictment . . . . " s.2(*c*).

" offences against and ships detained under Foreign Enlistment Act . . . . . 33-4V.c. 90,ss.14to24, 30.

" piracy. *See* PIRACY.

" prize (*and see* PRIZE) . . . . . 53-4V.c.27,s.2(*b*).

" naval discipline, etc. . . . . " s.2(*d*).

" slave trade matters . . . . . " s.2(*b*).

Power for Her Majesty, by Order in Council, to apply Act to Courts under Foreign Jurisdiction Acts . . . . . " s.12.

Power for Her Majesty to empower Admiralty to establish in any British Possession Vice-Admiralty Courts, with (if possession have a representative legislature) jurisdiction limited to prize, slave trade, etc., and to suspend jurisdiction of Colonial Courts in favour of Vice-Admiralty Courts . . . . . " s.9.

Provisions as to Droits of Admiralty . . . . . " s.8.

Rules of procedure and fees and costs generally . . . " s.7.

" " " " of Vice-Admiralty Courts . 57-8V.c.39,s.4.

[1] This short title was given by 59 & 60 Vic t., c. 14.

COLONIAL COURT OF ADMIRALTY AND VICE-ADMIRALTY COURT—*contd.*

Rules of procedure and fees and costs of Prize Courts . . . 57-8V.c.39,s.3.
" " " " in slave trade matters . . 53-4V.c.27,s.13(*1*),(*2*)
Application of Court-fees Act, VII of 1870 . . . . . Act16,1891,s.4.
Appeals, local . . . . . 53-4V.c.27,s.5.
" to Her Majesty in Council (*see also* JUDICIAL COMMITTEE; PRIZE, 2) . . . . " s.6.
" " " " in cases under Foreign Enlistment Act . 33-4V.c.90,ss.27,30.
" " " " in slave trade matters . 53-4V.c.27,ss.6,13(*3*).
Saving of power to appoint a Vice-Admiral: in default of appointment, Governor of possession to be Vice-Admiral *ex officio* . . . . . " s.10.
Provision as to Orders in Council . . . . . " s.14.
" " commencement of Act 16, 1891 . . . s.16. Act16,1891,s.1.

COLONIAL LETTERS PATENT ACT, 1863.[1] (*See* PATENT) . 26-7V.c.76.

COLONIAL MARRIAGES (DECEASED WIFE'S SISTER) ACT, 1906 (*See* MARRIAGE I, 1 (*b*).) . . . . . 6Edw.7,c.30.

COLONIAL OFFICES ACT, 1830 [1] (*See* CROWN, 3) . . 1W.4.c.4.

COLONIAL PRISONERS REMOVAL ACT, 1884 (*See* COLONIAL PRISONER) . . . . . 47-8V.c.31.

COLONIAL PRISONER.

Removal of prisoner by sea from one place in colony to another; continuance of legal custody, etc. . . . . 44-5V.c.69,ss.25,28.
Removal in certain cases of prisoners under sentence from one British possession to another or to United Kingdom for purpose of punishment . . . . . 47-8V.c.31,s.2.
Return of removed prisoner to British Possession whence removed . . . . . " s.3.
Regulations as to removal . . . . . " s.4.
Who to be removing authority . . . . . " s.5.
Evidence . . . . . " s.6.
Warrant for removal . . . . . " s.7.
Costs of removal . . . . . " s.11.
Orders in Council . . . . . " s.13.
Dealing with removed prisoner; escape, etc. . . . . " ss.8,9.
Laws of Colonial legislature giving effect to Act . . . " s.12.
Application of Act to removal of criminal lunatics . . . " s.10.
" " to places under Foreign Jurisdiction Acts . " s.15.
See also FUGITIVE OFFENDER.

COLONIAL PROBATES ACT, 1892 [*See* ADMINISTRATION OF ESTATES (ENG.-LAW); FOREIGN JURISDICTION] . . . 55-6V.c.6.

COLONIAL SOLICITORS ACT, 1900 (*See* SOLICITOR) . . 63-4V.c.14.

(COLONIES) EVIDENCE ACT, 1843[1] (*See* EVIDENCE) . . 6-7V.c.22.

COMMANDER-IN-CHIEF; salary of . . . . . 16-17V.c.95,s.35.
" " " filling up vacancy in office of . . 33G.3,c.52,ss.25to27.
(*See also* INDIAN MILITARY AND NAVAL FORCES, II, III, 4.)

[1] This short title was given by 59 & 60 Vict., c 14.

COMMISSION.

For taking evidence. *See* EVIDENCE, I, 1.

Under Code of Civil Procedure, to examine witnesses, etc. *See* CIVIL PROCEDURE, 3.

For examination of persons in prison or reformatory school . Act3,1900,ss.44-46.

To ascertain net profits or market value, for purpose of court-fees . Act7,1870,ss.9,10.

To examine past registers or records of births, deaths, marriages, etc. *See* REGISTRATION OF BIRTHS, ETC., A, 4.

Railway Commission. *See* RAILWAY, 5 (*a*).

COMMISSIONER defined. *See* WORDS AND PHRASES.

COMMISSIONER IN SIND (*See* SIND) . . . . . Act5,1868.

COMMISSIONER OF DIVISION.

See LAND-REVENUE, III, 2; VII, A, 2; XVI, 2.

COMMISSIONERS FOR OATHS ACT, 1889 (*See* AFFIDAVIT) . 52-3V.c.10.

" " " " 1891 (*See* AFFIDAVIT; MERCHANT SHIPPING) 54-5V.c.50.

" " " (PRIZE) . . . . . 7Edw.7,c.25.

COMMISSIONERS FOR PROCEEDINGS, ACT, 1907. *See* AFFIDAVIT.

COMMON CARRIER. *See* CARRIER.

COMMON GAMING-HOUSE. *See* GAMING.

COMPANIES ACT (INDIAN), 1882. *See* INDIAN COMPANIES ACT, 1882.

COMPANIES (MEMORANDUM OF ASSOCIATION) ACT (INDIAN), 1895. *See* INDIAN COMPANIES (MEMORANDUM OF ASSOCIATION) ACT, 1895.

COMPANIES (CONSOLIDATION) ACT, 1908. [*See* COMPANY; LAND (ENG.-LAW)] . . . . . 8Edw.7,c.69.

COMPANIES (BRANCH REGISTERS) ACT (INDIAN), 1900. *See* INDIAN COMPANIES (BRANCH REGISTERS) ACT, 1900.

COMPANY.

1876. Act 11, s. 67 (Presidency Banks).
1882. Act 6 (Companies).
1895. Act 12 (Alteration of objects or form of constitution).
1898. Act 13, s. 4 (Laws, Burma).
1899. Act 9, s. 3 (Arbitration).
1900. Act 4 (Branch Registers).
1904. Act 10, s. 28 (Co-operative Credit).
1907. Act 3, s. 6 (Insolvency).
1908. 8 Edw. 7, c. 69, ss. 34 to 36, 274, 275, 295, 296 (Consolidation).
" Act 5, Sch. I, O. 29 (Civil Procedure).
1909. Act 3, s. 107 (Insolvency).

1. Preliminary.
2. Companies under the Indian Companies Act, 1882.
3. Other Companies.
4. Miscellaneous.

1. Preliminary.

Act 6, 1882, extends to whole of British India . . . . Act6,1882,s.1.

" " declared in force in Upper Burma generally (except the Shan States) . . . . . Act13,1898,s.4, Sch.I.

" " not to apply to Co-operative Credit Societies . Act10,1904,s.28.

Definition of "Court," "District Court" and "Insurance Company" . . . . . Act 6,1882,s.3.

Definition of "deed of settlement" and "High Court" . . Act12,1895,s.3.

COMPANY—*contd.*

2. Companies under the Indian Companies Act, 1882.

(a) Constitution, Management, etc.

Prohibition of companies, associations or partnerships exceeding certain number unless registered, etc.	Act6,1882,s.4.
Associations not for profit	„ s.26.
Identity of name of Companies prohibited	„ s.43.
Memorandum of association	„ ss.6to11, 40to42,Sch.I, TablesB,C.
„ „ power to alter	„ s.12,13, 19,21,24.
Power of company to alter objects or form of constitution, subject to confirmation of High Court; registration of confirming order, etc.	Act12,1895,ss.4to10.
Power of company to pay interest out of capital in certain cases	Act6,1882,s.73A(ins. Act4,1910).
„ „ to re-issue reduced debentures in certain cases	„ s.73B(ins.Act4, 1910).
Articles of association	„ ss.37to42,Sch. I,TablesA,B,C.
Membership, and liability of members	„ ss.6to8,44to46, 48to50,54,61,62, 73.
Liability of directors may be unlimited	„ ss.7,76.
Shares; sub-division of	„ ss.24,25.
„ calls upon	„ ss.27,28.
„ registration of transfer of	„ s.29.
„ share-warrants to bearer	„ ss.30to35.
„ consolidation of, and conversion into stock	„ ss.51,52.
General meetings, and special resolutions	„ ss.75to80.
Registered office, and publication of name	„ ss.63to66.
Notice of increase of capital or members	„ s.57.
Reduction of capital and shares	„ ss.13to23.
Publication of statements by banking, insurance, deposit, provident and benefit societies	„ s.69.
Register of members	„ ss.47,53,55,56, 58to60.
„ directors of certain Companies	„ ss.70,71.
„ charges on company's property	„ s.68.
Branch registers in the United Kingdom	„ Act4,1900.
Change of name	„ s.43.
Contracts, bills of exchange, etc., by Company	„ ss.67,72.
„ specification of, in prospectus	„ s.88.
Execution by Company of deeds abroad, by attorney (Company's seal)	„ s.81.
Examination of affairs by inspectors	„ ss.82to87.
Service and authentication of notices	„ ss.89to91.
Legal proceedings and evidence	„ ss.92to94.
Costs: security by Company for	„ s.93.
Forms; alteration of forms	„ s.95,Sch.II.
Arbitration in disputes with Company	„ ss.96to123.

2. Companies under the Indian Companies Act, 1882—*contd.*

(b) Winding-up.

Meaning of "contributory"	Act 6, 1882, s. 124.
Liability of contributories	" ss. 125 to 127.
Winding-up by Court	" ss. 128 to 140.
" " " transfer of proceedings by High Court to District Court	" ss. 218, 219.
Voluntary winding-up	" ss. 173 to 190.
Winding-up under supervision of Court	" ss. 191 to 196.
Official Liquidator:	
Power to Court to appoint	" s. 141.
Resignation and remuneration of	" s. 142.
Style and duties of	" s. 143.
Powers of	" ss. 144, 145.
Employment of attorney, etc.	" s. 146.
Ordinary powers and duties of Court	" ss. 147 to 151.
Extraordinary powers of Court	" ss. 162 to 165.
Enforcement of, and appeal from, orders of Court	" ss. 166 to 169.
Evidence	" ss. 170 to 172.
Avoidance of dispositions made after commencement of winding-up	" s. 197.
Books, etc., of Company to be evidence	" s. 198.
" " " disposal of	" s. 199.
" " " inspection of	" s. 200.
Priority of debts	" s. 200A.
General scheme of liquidation may be sanctioned	" s. 201.
Power of liquidator to make compromise or arrangement with creditors	" ss. 202, 203.
" " to accept shares, etc., of Company to which business transferred, in case of voluntary winding-up	" s. 204.
Arbitration in case of dispute as to price to be paid for interest of member dissenting from such acceptance	" ss. 206 to 211.
Avoidance of certain attachments, distresses or executions	" s. 212.
Fraudulent preference	" s. 213.
Damages against or prosecution of delinquent directors or officers	" ss. 214, 216.
Penalty on falsification of books, etc.	" s. 215.
" for false evidence	" s. 217.

(c) Registration.

Office, registrar, establishment and fees	" s. 220.

(d) Miscellaneous.

Company not to buy its own shares	" s. 249.
Temporary continuance of Act 10, 1866 (repealed by Act 6, 1882)	" ss. 250, 251.
Cognizance of offences by Magistrates	" s. 252.
Power of Court to make orders as to costs	" s. 253.
Power of High Court to make rules	" s. 254.
Arbitration under Act 6, 1882, not affected by Act 9, 1899	Act 9, 1899, s. 3.

COMPANY—*concld.*

3. Other Companies.

Application of Act 6, 1882, to Companies registered under the Joint Stock Companies Acts 19, 1857[1], and 7, 1860[1] . . . Act6,1882,ss.221,222.
Definition of "Joint Stock Company" . . . . . „ s.226.
Companies existing at the commencement of Act 6, 1882, and Companies thereafter formed in pursuance of other Acts or of Letters Patent, etc.:
May be registered under Act 6, 1882; restrictions . . . „ ss.224,225.
Provisions as to registration of . . . . . „ ss.227to240.
Winding up of . . . . . „ ss.241,242.
Unregistered companies: winding up of, under Act 6, 1882 . „ ss.243to248.
Power to wind up Presidency Bank under Act 6, 1882 . . „ s.256. Act11,1876,s.67.

4. Miscellaneous.

Branch (colonial) register; power of certain Companies to keep; regulations and stamp as to . . . . . 8Edw.7,c.69,ss.34to36.
Procedure in suit by or against Company . . . . Act5,1908,Sch.1,O. 29.
Plaint in suit by Company . . . . . „ „ r. 1.
Service of summons on Company . . . . . „ „ r. 2.
Power of Court to require personal attendance of any officer of . „ „ r. 3.
Insolvency petition, none against . . . . . Act3,1907,s.6(6). Act3,1909,s.107.
Acquisition of land for Company. *See* LAND (IND. LAW), A, 2 (*b*),(*c*).
Power to hold land in United Kingdom . . . . . 8Edw.7,c.69,s.275.
Requirements as to companies established outside United Kingdom . . . . . s.274.
Collection of income-tax from Company. *See* INCOME-TAX, 3.
Particular Companies:
See EAST INDIA IRRIGATION AND CANAL COMPANY; EAST INDIAN RAILWAY COMPANY; GAS COMPANY; MADRAS IRRIGATION AND CANAL COMPANY; RED SEA AND INDIA TELEGRAPH COMPANY.

COMPENSATION FOR TENANTS' IMPROVEMENTS ACT (MALABAR), 1899 [*See* LANDLORD AND TENANT, VIII, 2 (*d*)] Mad.Act1,1900.
COMPOUNDING OFFENCES . . . . . Act5,1898,s.345.
„ „ under Excise law. *See* EXCISE 3(*c*).
„ „ under Punjab Municipal Act . Act20,1891,s.187.
„ „ under forest law. *See* FOREST, 7.
COMPTOIR NATIONAL D'ESCOMPTE DE PARIS ACT, 1890. . Act7,1890.
COMPULSORY LABOUR—
Obtaining of, on emergency—
for canal or drainage work. (*See* DRAINAGE; IRRIGATION; II, 3; IV, 3; V, A, 3; VI.)
for embankment. *See* EMBANKMENT, II.
for troops. *See* MARCHING TROOPS.
for travellers. *See* TRAVELLERS.
Unlawful; punishment for . . . . . Act45,1860,s.374.
„ compounding for offence . . . . . Act5,1898,s.345.

[1] Acts 19, 1857, and 7, 1860, were repealed by Act 10, 1866, s. 219.

CONCILIATION. *See* DEKKHAN AGRICULTURIST, 3.

CONFIRMATION OF MARRIAGES ON HER MAJESTY'S SHIPS ACT, 1879 [*See* MARRIAGE, I, 1 (*b*)] . . . . . 42-3V.c.29.

CONFIRMATION OF SENTENCES. *See* CRIMINAL PROCEDURE (IND.), 9 (2).

CONSANGUINITY. *See* SUCCESSION, 3.

CONSULAR OFFICER defined. *See* WORDS AND PHRASES.

CONTAGIOUS DISEASE.

Control over spread of. *See* ANIMAL, A; INFECTIOUS DISEASE.

CONTEMPT.

Proceedings on charge of. *See* CRIMINAL PROCEDURE (IND.), 11 (3): SMALL CAUSE COURTS, A, 3.

In insolvency proceedings . . . . . Act3,1909,ss.6(*3*),90(*8*).

Punishment of, by Collector of Land-revenue . . . . (Cal.)Act23,1850,s.10. (Mad.City)Act12,1851, s.14.

Of lawful authority of public servant. *See* CRIMINAL LAW (INDIAN), 8; EXCISE, 3 (*c*)

CONTRACT ACT (INDIAN), 1872 . . . . . Act 9, 1872.

CONTRACT.

1. Preliminary.

Power of Governor General in Council or Local Government to extend Act 13, 1859, to any place . . . . . Act13,1859,s.5.

Act 13, 1859, not to apply to area notified under Mad. Act 1, 1903 . . . . . Mad.Act1,1903,s.2.

Act 9, 1872 (the Indian Contract Act, 1872)—

extends to whole of British India . . . . . Act9,1872,s.1.

declared in force in—

the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

the Arakan Hill District . . . . . Reg.9,1874,s.3.

Upper Burma, except the Shan States . . . . Act13,1898,s.4,Sch.1.

British Baluchistan . . . . . Reg.1,1890,s.3.

General definitions . . . . . Act9,1872,s.2.

"Contract," definitions of. *See* WORDS AND PHRASES.

2. Formation of Contract.

Communication, acceptance and revocation of proposals . Act9,1872,ss.3to9.

What agreements are contracts . . . . . ,, s.10.

Who competent to contract . . . . . ,, ss.11,12.

Person of or over 16 may execute agreement to emigrate . . Act17,1908,s.35.

,, ,, ,, may enter into labour-contract . . . . Act6,1901,s.9. Mad.Act1,1903,s.8.

"Consent," "free consent," "coercion," "undue influence," "fraud" and "misrepresentation" defined . . . Act9,1872,ss.13to18.

What considerations and objects lawful . . . . . ,, s.23.

Indian Limitation Act, 1908, not to affect Act 9, 1872, s. 25 . Act9,1908,s.29(*1*)(*a*).

Certain agreements void . . . . . Act9,1872,ss.20,23to30,56,57.

,, ,, voidable . . . . . Act9,1872,ss.19,21, 22,55,53.

CONTRACT—*contd.*

2. Formation of Contract—*contd.*

Contracts as to gaming or wagering, void	Act9,1872,s.30. Bom.Act.3,1865,ss.1to3.
"Contingent contract" defined	Act9,1872,s.31.
" " when it can be enforced and when it is void	" ss.32to36.

3. Performance of Contract.

Contracts which must be performed	Act9,1872,ss.37to39.
By whom contracts must be performed	" ss.40to45.
Time and place for performance	" ss.46to50.
Performance of reciprocal promises	" ss.51to58.
Appropriation of payments	" ss.59to61.
When performance may be dispensed with	" ss.62,63, 64,67.
Restoration of benefit received under rescinded contract	" ss.64,65.
Communication of rescission of voidable contract	" s.66.
Specific performance, rectification and rescission of contracts. *See* SPECIFIC RELIEF.	

4. Breach of Contract.

Compensation payable	" ss.73,74.
" party rightly rescinding contract entitled to	" s.75.
Punishment of fraudulent breaches of contract by artificers, workmen or labourers	Act13,1859,ss.1to4. Mad.Act1,1903,ss.24,28 to30.
" for criminal breach of contract of service. *See* CRIMINAL LAW (INDIAN), 19.	

5. Particular Contracts.

(*a*) SALE OF GOODS.

"Goods" and "sale" defined	Act9,1872,ss.76,77.
When property in goods passes	" ss.78to85,87.
Buyer to bear loss after goods have become his property	" s.86.
Contract to sell for delivery at future day binding, though goods not in seller's possession	" s.88.
Determination of price not fixed by contract	" s.89.
Delivery	" ss.90to94.
Seller's lien	" ss.95to98.
Stoppage in transit	" ss.99to106.
Re-sale on buyer's failure to perform his part of contract	" s.107.
Title conveyed by seller to buyer	" s.108.
Warranty	" ss.109to118.
When buyer may refuse to accept, if goods not ordered, are sent with goods ordered	" s.119
Effect of wrongful refusal to accept goods	" s.120.
Rescission on buyer's failure to pay, when allowed	" s.121.
Auction; sale and transfer of lots sold by	" s.122.
" effect of use, by seller, of pretended biddings to raise price	" s.123.

CONTRACT—*contd.*

5. Particular Contracts—*contd.*

(b) Indemnity and Guarantee.

"Contract of indemnity" defined	Act 9, 1872,	s.124.
Rights of indemnity-holder, when sued	,,	s.125.
"Contract of guarantee," "surety," etc., defined	,,	s.126.
Guarantee consideration for	,,	s.127.
,, when invalid	,,	ss.142 to 144.
,, liability of surety	,,	ss.128, 131, 132.
,, ,, co-sureties	,,	ss.146, 147.
,, discharge of surety	,,	ss.133 to 139.
,, rights of surety on payment or performance	,,	s.140.
,, right of surety to benefit of creditor's securities	,,	s.141.
,, ,, ,, to recover sums rightfully paid	,,	s.145.
"Continuing guarantee" defined	,,	s.129.
,, ,, revocation of	,,	ss.130, 131.

(c) Bailment.

"Bailment," "bailor" and "bailee" defined	,,	s.148.
Delivery to bailee how made	,,	s.149.
Bailor; duty of, to disclose faults	,,	s.150.
,, repayment by, of necessary expenses	,,	s.158.
,, entitled to increase or profit from goods bailed	,,	s.163.
,, responsibility of, to bailee	,,	s.164.
Bailee; care to be taken by	,,	s.151.
,, liability of, for loss, etc.; power to rescind contract	,,	ss.152 to 154.
,, not responsible on re-delivery to bailor without title; right of third person claiming	,,	ss.166, 167.
,, particular lien of	,,	s.170.
,, general lien of bankers, factors, wharfingers, attorneys and policy brokers	,,	s.171.
Effect of mixture of bailor's goods with bailee's	,,	ss.155 to 157.
Restoration of goods lent gratuitously	,,	s.159.
Return of goods bailed	,,	ss.160, 161. 165.
Termination of gratuitous bailment by death	,,	s.162.
Bailments of pledges:		
"Pledge," "pawnor" and "pawnee" defined	,,	s.172.
Rights of pawnee	,,	ss.173 to 176.
Defaulting pawnor's right to redeem	,,	s.177.
Pledge by possessor of goods, or of documentary title to goods	,,	s.178.
,, valid to extent of pawnor's interest	,,	s.179.
Suit by bailor or bailee against wrong-doer; apportionment of relief obtained	,,	ss.180, 181.

(d) Other cases.

See Agency; Apprentice; Emigration, A; B; Labour Partnership.

CONTRACT—*concld.*

6. Quasi contracts.

Liability for necessaries supplied to minor, lunatic, etc. . . Act9,1872,s.68.
Re-imbursement of person paying money due by another . . „ s.69.
Obligation of person enjoying benefit of non-gratuitous act . „ s.70.
Finder of goods; responsibility of . . . . . „ s.71.
„ „ right of, to compensation . . . . „ s.168.
„ „ when he may sell . . . . . „ s.169.
Liability to repay or return money or thing paid or delivered under mistake or coercion . . . . . „ s.72.

7. Miscellaneous.

Effect on contract of alteration of tariff . . . . . Act8,1894,s.10. Act2,1896,s.35.
Execution of certain contracts on behalf of Secretary of State for India in Council . . . . . 3Edw.7,c.11.
Execution of contracts by Government. *See* PROPERTY.

CONTRACTS (INDIA OFFICE) ACT, 1903 (*See* CONTRACT; GOVERNMENT OF INDIA) . . . . . 3Edw.7,c.11.

CONVERSION OF INDIA STOCK ACT, 1887 (*See* FINANCE) . 50-1V.c.11.

CONVEYANCE OF LAND ACT, 1854 (*See* CONVEYANCING AND LAW OF PROPERTY; MARRIED WOMAN; TRUST) . . . Act31,1854.

CONVEYANCING AND LAW OF PROPERTY (IN CASES GOVERNED BY ENGLISH LAW).

Act 31, 1854, declared in force throughout British India, except as regards the Scheduled Districts . . . Act15,1874,s.3.
„ „ applies only to cases governed by English law . Act31,1854,s.18.
Conveyance by tenant-in-tail, or other owner of estate of inheritance less than estate in fee-simple . . . „ ss.2,4.
„ by married woman . . . . . „ ss.2to12.
Estates may be conveyed, etc., by simple deed . . . „ s.14.
Conveyance not to have effect beyond powers of conveying party „ s.15.
Words of limitation not necessary to give estate by inheritance; estate limited to heirs not to unite with prior life estate „ s.16.
See also INFANT.

CO-OPERATIVE CREDIT SOCIETIES ACT, 1904 (*See* COMPANY; INCOME-TAX; REGISTRATION OF DOCUMENTS; SOCIETY; STAMP) . . . . . Act10,1904.

COORG.

Is a Scheduled District . . . . . Act14,1874,s.1,Sch.I,Pt. VII. Act15,1874,s.2,Sch.VI, Pt. VII.

For further provisions enacted specially for Coorg, see the appropriate heads.

COORG COURTS [REGULATION, 1901 [*See* CIVIL COURTS, XI; CIVIL PROCEDURE, 12; CRIMINAL PROCEDURE (IND.), 13; SMALL CAUSE COURTS, B] . . . . . Reg.1,1901.

COORG COURTS (AMENDMENT) REGULATION, 1905 . Reg.4,1905.

COORG DISTRICT FUND REGULATION, 1900 (*See* LAND-REVENUE, XII; LOCAL SELF-GOVERNMENT, VI) . . . Reg.6,1900.

COPYRIGHT—*contd.*

2. Music and the Drama—*contd.*

B.—Dramatic Pieces.

Application of law as to books to; first representation equivalent to first publication	5-6V.c.45,s.20.
Period of copyright—	
if printed and published	,, ,,
if not printed and published, though publicly performed	3-4W.4,c.15,s.1.
Assignment of book containing dramatic piece not to carry right of representation unless intention expressed	5-6V.c.45,s.22.
Penalties for infringement; limitation of actions	3-4W.4,c.15,ss.2,3.
Saving for remedies under 3 & 4 Will. 4, c. 15	5-6V.c.45,s.24.

3. Fine Arts.

Paintings, Drawings and Photographs.

Ownership, subject, and period of copyright	25-6V.c.68,ss.1,2.
Copyright personal property, and assignable	,, s.3.
Register book, and matters to be entered therein	,, s.4.
Application of 5 & 6 Vict. c. 45 as to register book, etc.	,, s.5.
Penalties and remedies for infringement; forfeiture of copies	,, s.6.
Summary proceedings	,, s.8.
Injunctions, inspection and accounts	,, s.9.
Unlawful importation	,, s.10.
Actions for damages	,, s.11.
Penalties for fraudulently signing or putting forth paintings, etc.	,, s.7.

4. British Possessions.

Action for damages for piracy	5-6V.c.45,s.15.
Prohibition of importation of foreign reprints, and penalties	,, s.17. 39-40V.c.36,s.152.
Notice of copyright to be given to Commissioners of Customs, and lists to be published	,,
Suspension of prohibitions as to British Possessions making Act protecting British authors	10-1V.c.95,ss.1,2, 39-40V.c.36,s.152.
Application of Copyright Acts to Colonies	49-50V.c.33,s.8.
Colonial register to be evidence	,, s.8(2).
Application of International Copyright Acts to British Possessions	,, s.9.

5. International.

A. Period of and Property in Copyright in Foreign Works.

Orders in Council as to copyright for foreign works	7-8V.c.12,s.2.
Application of Acts as to books, with limitations	,, ss.3,6.
,, ,, as to works of art and sculpture	,, ss.4,6. 25-6V.c.68,s.12.
,, ,, as to dramatic and musical pieces	7-8V.c.12,ss.5,6.
Periods of copyright may vary	,, s.13.
Simultaneous publication in two or more countries	49-50V.c.33,s.3.
Orders not to be made unless protection for works first produced in United Kingdom secured by foreign powers to which orders relate	,, s.4(2).

COPYRIGHT—*contd.*

5. International—*contd.*

A.—Period of and Property in Copyright in Foreign Works—*contd.*

Making, gazetting, laying before Parliament and revocation of orders	7-8V.c.12,ss.15,16. 49-50V.c.33,s.10.
Extent and effect of orders	,, s.2.
Application of Acts to existing works	,, s.6.
Evidence of foreign copyright	,, s.7.

B.—Registration.

Registration requisite within time fixed by order	7-8V.c.12,ss.3to6.
Mode of registration of books	,, ss.6,7.
,, ,, of dramatic and musical pieces	,, s.6.
,, ,, of engravings and prints	,, s.6.
,, ,, of works of art	,, s.6. 25-6V.c.68,s.12.
Application of 5 & 6 Vict. c. 45 as to register book	7-8V.c.12,s.8.
Entry in register; proof of first publication; amendment	,, s.9.
Times of registration may vary	,, s.13.
Delivery of copies at Stationers' Hall	,, ss.6,11. to13.
Presentation of copies to British Museum and University libraries not required	,, s.3.
Registry and delivery of copies not required in certain cases	49-50V.c.33,s.4(*1*).

C.—Translation of Foreign Works.

Rights of author or publisher as respects translations	,, s.5.
Savings as to fair imitations and adaptations for stage	15-6V.c.12, s.6.
,, ,, political and other articles in newspapers, etc.	,, s.7.
15-6 V. c. 12, s. 6 not to apply to dramatic pieces in certain cases	38-39V.c.12.

D.—Infringement and Remedies.

Prohibition of and penalties for importation of foreign works protected in Her Majesty's dominions, and of unauthorised translations	7-8V.c.12,s.19. 15-6V.c.12,s.9.
Action for damages for wrongful importation	7-8V.c.12,s.10.

COPYRIGHT OF DESIGNS. *See* Designs.

CORONATION.

Oath and declaration to be taken and made on	12-3W.3,c.2. 10Edw.7,and1Geo.5,c.29.

CORONERS ACT, 1871. [*See* Coroner; Evidence, II; Forfeiture; Jury; Prison; Prisoner (Ind. Law); Suicide; Treasure Trove]	Act4,1871.
CORONERS ACT, 1881	Act10,1881.
CORONERS (AMENDMENT) ACT, 1908	Act4,1908.
CORONERS (MADRAS) ACT, 1889	Act5,1889.

CORONER.

For cities of Bombay and Calcutta:

Appointment, status and removal of	Act4,1871,ss.3, 4to6.
Salary of	,, s.36.

CORONER—*contd.*

Disbursements of, to be repaid	Act4,1871	s.37.
Deputy Coroner; appointment, etc., of	,,	s.38.
In what cases to hold inquest	,,	ss.8,9,10.
Inquest may be held on Sunday	,,	s.12.
Information of death of prisoner to be sent to Coroner by Superintendent of Prison, under penalty	,,	s.9.
Power of Coroner to disinter corpse	,,	s.10.
Jury; summoning and swearing of	,,	ss.12to14.
,, taking recognizance from juror	,,	s.21.
,, fining of juror neglecting to attend	,,	ss. 31 to 33.
,, juror ordinarily not to be summoned twice in a year	,,	s.34.
,, prisoners and officers of prison not to serve on	,,	s. 35.
,, Coroner to view body with	,,	ss. 14, 15.
Coroner to call and examine witnesses; penalty for non-attendance of witness	,,	ss.16,17.
Post mortem examination	,,	s.18.
Report of Chemical Examiner to be evidence	,,	s.18A.
Procedure in taking evidence	,,	ss.19,20.
Adjournment of inquest	,,	s.21.
Coroner to sum up evidence to jury; their verdict	,,	ss.22,23.
Inquisition; signature and contents of	,,	s.24,Sch.II.
Procedure where verdict shows any offence as cause of death	,,	s.25.
Power of, to arrest and commit for trial	,,	s. 26.
To give warrant for disposal of body	,,	s.28.
Inquisition not to be quashed for want of form, but may be amended by High Court	,,	s.29.
Cessation of Coroner's jurisdiction as to treasure trove, wrecks, etc. *Felo de se* not to forfeit his goods Deodands abolished	,,	s.30.
Coroner and his Deputy not liable to serve as juror	,,	s.39.
,, ,, ,, privileged from arrest	,,	s.40.
,, ,, ,, power of Chief Justice to fine	,,	s.41.
Proceedings for things done under Act, etc., barred by tender of amends	,,	s.42.
CORRUPTION AND EXTORTION REGULATION (BENGAL), 1827.[1] (*See* PUBLIC OFFICER)	Ben.Reg.3,1827.	
COTTON DUTIES ACT, 1896. [*See* CONTRACT, 7; CUSTOMS; CUSTOMS (INLAND); EXCISE, 2; OFFICIAL SECRETS].	Act2,1896.	
COTTON GOODS. *See* EXCISE, 2.		
COUNCIL OF INDIA ACT, 1907. [*See* GOVERNMENT OF INDIA, 2 (*a*)]	7Edw.7.c.35.	

COUNCIL.

Of Secretary of State. *See* GOVERNMENT OF INDIA, 2 (*a*).

Of Governor General. *See* GOVERNMENT OF INDIA, 2 (*b*).

Of Governor or Lieutenant-Governor. *See* GOVERNMENT OF INDIA, 2 (*c*).

COUNCIL OF ELDERS. *See* FRONTIER, E, 2; F.

[1] The short title was given by Act 5, s. 1897, s. 4.

COUNTERFEIT defined. *See* WORDS AND PHRASES.

COURTS ACT (LOWER BURMA), 1900 (*See* LOWER BURMA COURTS ACT, 1900) . . . . . Act6,1900.

" " (CENTRAL PROVINCES), 1904 (*See* CENTRAL PROVINCES COURTS ACT, 1904) . . . Act2,1904.

" " (OUDH), 1891 (*See* OUDH COURTS ACT, 1891) . Act14,1891.

" " (PUNJAB), 1884 (*See* PUNJAB COURTS ACT, 1884) Act18,1884.

" " " 1888. . . . . Act13,1888.

" REGULATION (AJMERE), 1877 (*See* AJMERE COURTS REGULATION, 1877) . . . . Reg.1,1877.

" " (COORG), 1901 (*See* COORG COURTS REGULATION, 1901) . . . Reg.1,1901.

COURTS (COLONIAL) JURISDICTION ACT, 1874 [*See* CRIMINAL LAW AND PROCEDURE (ENG.); FOREIGN JURISDICTION; SEA] . . . . . 37-8V.c.27.

COURTS (SINDH) [*See* ADMINISTRATION OF ESTATES (IND. LAW); LEGAL PRACTITIONER; SEAL; SINDH] . . . Bom.Act12,1866. Bom.Act3,1868.

COURTS.

Definitions of "Court." *See* WORDS AND PHRASES.

Power to constitute, in British Settlements . . . . . 50-1V.c.54.

Landholders, farmers, etc., prohibited from interfering in matters coming within jurisdiction of Courts; penalty . . (Ben.,E.B.&A.)Ben.Reg. 8,1793,s.66.

Certain territories exempted from jurisdiction of Courts. *See* DEREGULATIONISED TRACTS.

Ben. Reg. 11, 1822, s. 38, declared in force—

throughout Bengal and the North-Western Provinces, except as regards the Scheduled Districts . . . . . Act15,1874,ss.6,7.

in Oudh . . . . . Act18,1876,s.3.

in Angul and the Khondmals . . . . . Reg.1,1894,s.3.

Government not liable for errors or irregularities in decrees, orders or proceedings of Courts; Government officers not liable for anything done or suffered in conformity with such decrees, etc. . . . . (Ben.,E.B.,U.P.)Ben. Reg.11,1822,s.38.

Penalty for disorderly conduct, etc., in . . . . . (Bo.City)Bom.Act4, 1902,s.123.

See also CRIMINAL LAW (IND.), 9.

Indian Marine Court. *See* ROYAL INDIAN MARINE, 3.

Naval Court. *See* MERCHANT SHIPPING, 2 (*g*), 7 (*c*), 11 (*a*).

See also CHIEF COURT OF LOWER BURMA; CHIEF COURT OF THE PUNJAB; CIVIL COURTS; COLONIAL COURT OF ADMIRALTY AND VICE-ADMIRALTY COURT; COURT MARTIAL; CRIMINAL COURTS; FOREST, 7; HIGH COURT; MAMLATDAR'S COURT; REVENUE COURTS; SINDH.

COURT MARTIAL.

Power of Governor General in Council to direct trial of offences by, in time of war or rebellion. *See* STATE OFFENCES.

See ARMY, 4; INDIAN MILITARY AND NAVAL FORCES, III, 3; NAVY, 3 (*d*); VOLUNTEER.

COURT OF WARDS ACT, 1879 (*See* BOARD OF REVENUE; COURT OF WARDS, B; LAND-REVENUE, III, V; LUNATIC, 3; MINORITY; PERMANENT SETTLEMENT) . . . . Ben.Act9,1879.

COURT OF WARDS ACT (BENGAL) AMENDMENT ACT, 1892 [1] . Act4,1892.

[1] This short title was given by Act 5, 1897, s. 4.

COURT OF WARDS.

1799. Ben. Reg. 5, s. 8 (Administration).
[1]1804. Mad. Reg. 5 (Court of Wards, Madras).
1831. Mad. Reg. 10, s. 2 (Court of Wards, Madras).
1858. Act 34, s. 24 (Lunacy).
,, Act 35, s. 9 (Lunacy).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Act 15, s. 4 (Laws Local Extent).
1879. [2]Ben. Act 9 (Court of Wards, Assam and Bengal).
1885. Act 8, ss. 95, 97 (Bengal Tenancy).
1888. Reg. 1 (Government Wards, Ajmere).
1899. Act 24 (Court of Wards, Central Provinces).
,, U. P. Act 3 (Court of Wards, United Provinces).
1901. U. P. Act 3, ss. 153, 160 (Land-revenue, United Provinces).
1902. Mad. Act 1 (Court of Wards, Madras).
1903. U. P. Act 1, s. 6 (Incumbered Estates, Bundelkhand).
,, Punj. Act 2 (Court of Wards, Punjab).
1904. Reg. 5 (Court of Wards, N.-W. Fr.).
1905. Bom. Act 1 (Court of Wards, Bombay).

GENERALLY
A.—AJMERE
B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) EASTERN BENGAL AND ASSAM)
C.—BOMBAY PRESIDENCY
D.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT
E.—MADRAS PRESIDENCY
F.—UNITED PROVINCES.
G.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB

1. Preliminary.
2. Management and Guardianship.
3. Miscellaneous.

GENERALLY.

Assumption by Court of management of lunatic's estate . . { Act34,1858,s.24. Act35,1858,s.9.

Payment of income-tax by Court. *See* INCOME-TAX, 3.

A.—AJMERE.

1. Preliminary.

Definitions . . . . . Reg.1,1888,s.3.

2. Management and Guardianship.

Commissioner to be Court of Wards . . . . . ,, s.4.
All landholders to be under jurisdiction of Court . . . . ,, s 5.
Disqualified landholders :
Who are . . . . . ,, s.7.
Power of Court to assume superintendence of property or person of . . . . . ,, ss.6,8,9.
Withdrawal from superintendence of person or property of . ,, s.24.
Appointment, suspension and removal of, and delegation of Court's functions to, manager . . . . . ,, s.10.
Liabilities, etc., of managers and other servants of Court . . ,, s.11.
Appointment, etc., of guardians . . . . . ,, s.12.
General powers of Court . . . . . ,, ss.13,17.
Custody, education and residence of wards . . . . . ,, s.14.
Allowance for support of ward and his family . . . . . ,, s.15.

[1] Rep. except in scheduled districts by Mad. Act 1, 1902. It has not been indexed.
[2] Ben. Act 9, 1879, as amended by subsequent Acts, has been extended, by notification under the Scheduled Districts Act, 1874, to the districts of Cachar, Darrang, Goalpara, Kamrup, Lakhimpur, Nowgong, Sibsagar and Sylhet in Assam.

COURT OF WARDS—*contd.*

A.—AJMERE—*contd.*

2. Management and Guardianship—*contd.*

General duties of Court or manager	Reg.1,1888,s.16.
Disabilities of ward	,, s.22.
Powers of Court when succession to ward's property is disputed	,, s.23.

3. Miscellaneous.

Procedure in suit by or against ward	,, ss.18to21.
Appeals	,, s.25.
Control by Local Government	,, s.26.
Bar to jurisdiction of Civil Courts in certain cases	,, ss.9,27.
Power of Local Government to make rules	,, s.28.

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT), EASTERN BENGAL AND ASSAM.

1. Preliminary.

[1]Ben. Act 9, 1879, extends to whole of Bengal and Eastern Bengal, including the Scheduled Districts	Ben.Act9,1879,s.1.
,, ,, ,, and Ben. Act 3, 1881, declared in force in the Santhál Parganas	Reg.3,1872,s.3,Sch.
,, ,, ,, not to affect—	
Act 34, 1858 (Lunacy)	Ben.Act9,1879,s.4.
High Court's jurisdiction over infants	
Definitions	,, s.3.

2. Management and Guardianship.

Board of Revenue to be Court of Wards	Ben.Act9,1879,s.5.
Disqualified proprietors :	
Who are	,, s.6.
Powers of Court as to taking charge of person and property of, and of minor members of their families	,, ss.7,9,10(s.9 rep.inpt.,Ben.Act1, 1906,s.2,E.B.&A.Act3, 1907,s.2).
Power of Court to take charge of person or property of proprietor or minor on application of Civil Court	,, s.10.
Declaration by Court on taking charge of person or property	,, s.35.
Procedure when Court takes charge of person or property—	
Notice to creditors, and inquiry into liabilities ; publication of notice	,, s.10A,64A (ins.Ben.Act1,1906, ss.3,10,E.B.&A.Act 3,1907,ss.3,12).
Creditors to furnish full particulars and documents	,, s.10B(ins. Ben.Act1,1906,s.3, E.B.&A.Act3,1907, s.3).
Stay of proceedings of Civil Courts	,, s.10C(ins. Ben.Act1,1906,s.3, E.B.&A.Act3,1907, s.3).
Adjudication of claims	,, 10D(ins. Ben.Act1,1906,s.3, E.B.&A.Act3,1907, s.3).

[1] See footnote [2] on p. 150.

COURT OF WARDS—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT), EASTERN BENGAL AND ASSAM—*contd.*

2. Management and Guardianship—*contd.*

Disqualified proprietors—*contd.*

Power of Court to retain charge of person or property of still disqualified proprietors when joint proprietors cease to be subject to its jurisdiction	Ben.Act9,1879,s.11.
Power of Court to retain charge of property until discharge of debts	,, s.13A(ins. Ben.Act1,1906,s.4, E.B.&A.Act3,1907, s.5).
Power of Court to withdraw from charge of person and property	Ben.Act9,1879,ss.9,12(s.9 rep.inpt.,Ben.Act1, 1906,s. 2,E.B.&A.Act 3,1907,s.2).
Effect of withdrawal from charge	Ben.Act9,1879,s.9A(ad. E.B.&A.Act3,1907, s.2).
Court when bound to release person and property from its charge	Ben.Act9,1879,s.8.
Power to relinquish inextricably involved estates	,, s.10E(ins. Ben.Act1,1906,s.3).
Declaration of cessation of Court's jurisdiction	Ben.Act9,1879,s.65.
Recovery of expenses after release of property	,, s.65A.
Collector to take charge of person and property on proprietor being declared disqualified	,, ss.36,37.
Powers of Court when succession to property of ward is disputed	,, s.13.
Court's general powers of management	,, ss.14,18,19.
Delegation of Court's powers	,, s.15.
Power of Court to employ establishments and incur expenses	,, s.16.
,, ,, to appoint, etc., managers and guardians	,, s.20.
Custody, education and maintenance of minors	,, s.21.
Allowance for support of ward and his family	,, s.22.
Protection of estates of wards and minors from sale for arrears	,, ss.23to26.
Disabilities of wards	,, ss.60,60B,61. ,, (s.60Bins., Ben.Act1,1906,s.8, E.B.&A.Act3,1907, s.10).
Collector when to act as manager	Ben.Act9,1879,s.38.
Restrictions on choice of guardian	,, ss.44,45.
General powers of manager	,, s.39.
,, duties ,, ,,	,, ss.40,41.
Remuneration ,, ,,	,, s. 41 (*h*).
Recovery by manager of sums recoverable as rent	,, s.63.
Application of moneys received by manager	,, ss.48to50 (s.50am. Ben.Act2, 1909).
General duties of guardian	Ben.Act9,1879,ss.42,43.
Remuneration ,, ,,	,, s.43(*f*).
Delivery to Court of accounts and property in hands of manager or guardian	,, s.47.

COURT OF WARDS—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT), EASTERN BENGAL AND ASSAM—*concld.*

3. Miscellaneous.

Duty of Collector to report to Court as to what proprietors should be taken under its charge, and to take temporary charge of their property, etc.	Ben.Act9,1879,ss.27,29,30.
Power of Court or Local Government to put Act into operation without report from Collector	,, s.28.
Application to Civil Court where Collector reports disqualified proprietor to be a lunatic or to be suffering from physical defect or infirmity; recovery of expenses incurred by Collector	,, ss.31to34A(s. 34Ains.,Ben.Act1, 1906,E.B.&A.Act3, 1907, s. 7).
Exemption of ward's property from execution proceedings in certain cases	Ben.Act9,1879,ss.60A,60B (s.60Bins.Ben.Act1, 1906,s.8,E.B.&A.Act 3,1907,s.10).
Procedure in suits by or against wards	Ben.Act9,1879,ss.51to56, 60B(s.56rep.inpt.,Ben. Act1,1906,s.6,E.B. &A.Act3,1907,s.8; s.60Bins.,Ben.Act1, 1906,s.8,E.B.&A.Act 3,1907,s.10).
Offences and penalties	Ben.Act9,1879,ss.57to59,64.
Recovery of sums due to Court	,, ss.46,65A.
Judicial powers of Collector in making inquiries	,, s.66.
Appeals from orders of Collector or Commissioner	,, s.67.
Control of Court over orders of Collector or Commissioner	,, ss.67,68.
Persons employed by Court to be "public servants"	,, s.59A(ins., Ben.Act1,1906,s.7, E.B.&A.Act3,1907, s.9).
Power of Court to make rules	Ben.Act9,1879,s.70.
Control of Local Government over Court	,, s. 69.
Court may be appointed manager under Bengal Tenancy Act; application of Ben. Act 9, 1879	(Ben.E.B.)Act8, 1885,ss.95,97.
Ben. Reg. 5, 1799 (Administration of estates of Hindus, etc.), not to affect jurisdiction of Court	Ben.Reg.5,1799,s.8.

C.—BOMBAY PRESIDENCY.

1. Preliminary.

Bom. Act 1, 1905, extends to whole of Bombay Presidency except City of Bombay and Aden	Bom.Act1,1905,s 1.
Definitions	,, s.2.

2. Management and Guardianship.

Commissioner, or special officer appointed by Local Government, to be Court of Wards for the division: power to constitute Board and to appoint special Court for particular area	,, s.3.
Disqualified landholders: Who are	,, s.5.
Power of Court as to assuming superintendence of property of disqualified landholders and of person of minor, lunatic, etc.; exception as to married females	,, ss.4,11.

COURT OF WARDS—*contd.*

C.—BOMBAY PRESIDENCY—*contd.*

2. Management and Guardianship—*contd.*

Court not to assume superintendence of property or person without consent of District Court where guardian has been appointed or declared by competent authority; exception where Government officer is appointed or declared guardian under s. 7 (1) of Act 8, 1890	BomActl,1905,ss.7,6.
Where property belongs to undivided Hindu family, unless all co-sharers disqualified	,, s.8(am.Bom. Actl,1910,s.2).
Power of Local Government to order Court to assume superintendence of property on application of landholder: provision in case of joint landholders; power to make order on application of cosharer in respect of his share	,, s.9(am.Bom. Actl,1910,s.2).
Power of District Court on application of Collector to authorise Court to take steps for temporary custody and protection of property and of minor: action to be reported to Local Government	Bom.Actl,1905,s.10.
Where property within jurisdiction of several Courts, Local Government to determine which Court to assume superintendence	,, s.12.
Assumption of superintendence to be notified and to extend to all property of ward; exception	,, s.13.
Claims against ward or his property:	
Notice calling for submission of	,, s.14.
Particulars of, to be furnished by claimants; inadmissibility in evidence of documents not produced	,, s.15.
Effect of failure to notify claim; claim deemed to have been duly discharged; exception of claims of Government . .	,, s.14(3).
Investigation and decision of claims and report to Local Government by Court of Wards; saving of right of suit . .	,, ss.16,18(*1*).
Power of Court of Wards to appoint, etc., manager; remuneration and duties, etc. of manager .	,, ss.20,21,26.
,, ,, ,, to appoint guardian: application of provisions of Guardian and Wards Act, 1890	,, s.22.
,, ,, ,, as to property under its superintendence; power to summarily evict person in wrongful occupation of property of ward . . .	,, ss.23,26to28.
Arrears of rent due to ward recoverable as arrears of land-revenue	,, s.29.
Custody, residence and education of ward	,, s.24.
Allowance for support of ward and his family	,, s.25.
Disabilities of wards and of certain persons who have been wards	,,ss.37,38,42(2), proviso.
Power of Court of Wards when succession to ward's property is disputed	,, s.39.
Withdrawal of superintendence, if estate inextricably involved, etc.; effect of . . .	,, s.18.
,, ,, ,, on cessation of disqualification, etc., power to retain superintendence in certain cases; appointment of guardian of minor before withdrawal	,, ss.40(am. Bom.Actl,1910,s.2),41.
,, ,, to be notified	Bom.Actl,1905,s.42.

COURT OF WARDS—*contd.*

C.—BOMBAY PRESIDENCY—*concld.*

3. Miscellaneous.—*concld.*

Stay of execution of decree against ward in certain cases: limitation	Bom. Act I, 1905,	s.17.
Suit for recovery of claim against ward not barred by decision of Court: decision not to be evidence in suit	,,	s.16(3).
Limitation: exclusion of certain periods in computing period of	,,	ss.17(3),18(3).
Managers and other servants of Court to be deemed public servants	,,	s.21(2).
Recovery of arrears of land-revenue during period of superintendence; protection of immoveable property from sale	,,	s.30.
Notice required in case of certain suits against Government wards	,,	s.31.
Procedure in suit by or against Government ward: suit or appeal not to be instituted on behalf of ward unless authorised in writing by Court	,,	ss.32-35.
Power of Court of Wards to state case for opinion of Civil Court for adjudication of civil disputes between two or more Government wards	,,	s.36.
Power of Court of Wards to delegate its powers	,,	s.19.
Appeals from orders under Act	,,	s.43.
Control by Local Government	,,	s.44.
Power of Local Government to make rules	,,	s.46.
Bar of suits	,,	s.45.

D.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT.

1. Preliminary.

Definitions	Act 24, 1899,	s.2.

2. Management and Guardianship.

Commissioner to be Court of Wards	,,	s.3.
Disqualified landholders:		
Who are	,,	s.5.
Power of Court to assume superintendence of property or person of	,,	ss.4,6,8.
Powers of Court of Wards as to temporary custody and protection of minor and his property in certain cases	,,	s.7.
Order by Local Government as to which Commissioner should assume superintendence of person and property, where landholder owns land in two or more Divisions	,,	s.9.
Assumption of superintendence to be notified, and to extend to whole of ward's property; exception	,,	s.10.
Claims against ward or his property:		
notice calling for submission of; bar to claims not submitted	,,	s.12.
particulars of, to be furnished by claimants; exclusion of documents not duly submitted	,,	s.13.
adjudication of	,,	s.15.
Power of Local Government to direct relinquishment of superintendence by Court of Wards	,,	s.16.

COURT OF WARDS—*contd.*

D.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT—*contd.*

2. Management and Guardianship—*contd.*

Power of Court of Wards—	
to appoint managers	Act24,1899,s.17.
to delegate its powers	,, s.18.
to appoint guardians	,, s.20.
Liabilities, etc., of managers and other servants of Court	,, s.19.
General powers of Court of Wards	,, ss.21,25.
Custody, education and residence of wards	,, s.22.
Allowance for support of ward and his family	,, s.23.
General duties of Court of Wards or manager	,, s.24.
Disabilities of ward	,, ss.31,32.
Powers of Court of Wards when succession to ward's property is disputed	,, s.33.
Withdrawal of superintendence of Court of Wards and appointment of guardian	,, ss.34to36.

3. Miscellaneous.

Procedure in suits by or against wards	Act24,1899,ss.26,27,29, 30.
Payment of costs in suit by or against ward	,, s.28.
Appeals	,, s.37.
Control by Local Government	,, s.38.
Bar to jurisdiction of Civil Courts	,, ss.5(2),6(2). 11.39.
Stay of proceedings in Civil Courts	,, s.14.
Power of Local Government to make rules	,, s.40.

E.—MADRAS PRESIDENCY.

1. Preliminary.

Mad. Reg. 10, 1831, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act15,1874,s.4.
Mad. Act 1, 1902, extends to Presidency of Madras except Scheduled Districts	Mad.Act1,1902,s.1.
Definitions	,, s.4.

2. Management and Guardianship.

Board of Revenue to be Court of Wards	,, s.5.
Disqualified proprietors:	
Who are	,, s.9.
Power of Collector as to temporary custody and protection of property and of the person of minor heirs in certain cases	,, ss.10,11.
Procedure before declaration of disqualification by Local Government; bar to civil suit to question declaration	,, ss.12to16,48.
Assumption by Court of Wards of superintendence of person or property of disqualified proprietor: provision for case of joint Hindu family	,, ss.16to18,48. Mad.Reg,10,1831,s.2(2).
Procedure where disqualified proprietor is a cosharer in joint property	Mad.Act1,1902,s.17(2).

COURT OF WARDS—*contd.*

E.—MADRAS PRESIDENCY—*contd.*

2. Management and Guardianship—*contd.*

Assumption of superintendence to be notified and to extend to whole of ward's property; exception; Collector to take charge of property; power of Collector to search for and require production of property, books, papers, etc.	Mad. Act I, 1902, ss. 19, 20, 21.
Power of Court of Wards as to property under its superintendence	,, s.35.
Allowance for support of ward and his family	,, s.22.
Custody, education, residence and marriage of ward	,, s.23.
Disabilities of ward	,, s.34.
Appointment of managers and guardians	,, ss.24 to 26.
Powers, duties and allowances of managers and guardians	,, ss.27 to 29.
Application of money received by manager	,, ss.32, 33.
Claims against ward or his property:	
notice calling for submission of; exception of claims of Government and others	,, ss.37, 39.
particulars of, to be furnished by claimants; inadmissibility in evidence of documents not produced; exception of claims of Government and others	ss.38, 39, 42, 55(3).
effect of failure to notify claim: cessation of interest: notified claims to have priority	,, ss.41, 55(3).
admission or disallowance of; saving of right of suit	,, s.40.
Power of Court of Wards to dispossess mortgagee in possession of ward's property: rights of dispossessed mortgagee	,, ss.43, 55(2).
Power to require additional consideration for or determine lease granted by ward for insufficient consideration; rights of lessee	,, s.44.
Execution of decree against ward to be transferred to Collector in certain cases; procedure; Collector executing decree to cease to discharge functions under Act	,, ss.45 to 47.
Penalty for abetting marriage of minor ward without consent of Court of Wards	,, s.67.
Release from superintendence of person and property: power to appoint guardian when proprietor is still minor: effect of release	,, ss.54 to 56, 59.
Power to retain superintendence notwithstanding death or cessation of disqualification of proprietor; certain disabilities of proprietor to continue	,, ss.57, 58.
Powers of Court of Wards when succession to ward's property is disputed	,, s.61.
Release of person or property from superintendence to be notified	,, s.62.
Expenses incurred by Court of Wards recoverable after release as arrears of land-revenue	,, s.60.

3. Miscellaneous.

Control by Local Government	Mad. Act I, 1902, s.6.
Exercise of powers of Court of Wards through Collector; delegation of powers of Collector	,, s.8.
Distribution of business of Court of Wards; Secretary to sign for Court of Wards	,, s.7.

COURT OF WARDS—*contd.*

E.—MADRAS PRESIDENCY—*contd.*

3. Miscellaneous—*contd.*

Power of Court of Wards to make rules	Mad.Act1,1902,s.66.	
" " " in regard to religious endowments of which ward is hereditary trustee or manager	"	s.63.
Property in charge of Court of Wards not liable to sale for arrears of land-revenue	"	s.65.
Managers, guardians, etc., to be deemed public servants; application of provisions of Act 12, 1850, and Mad. Reg. 9, 1822	"	ss.30,31.
Procedure in suits by or against wards	"	ss.49to52.
Saving of jurisdiction of High Court	"	s.3.
Power of Court of Wards to state case for opinion of Civil Court in civil disputes between two or more wards	"	s.53.
Powers of persons holding inquiry under Act	"	s.64.
Power of Court of Wards to maintain establishment and to distribute expenses among properties under its superintendence	"	s.36.

F.—UNITED PROVINCES.

1. Preliminary.

U. P. Act 3. 1899, extends in the first instance to the whole of the United Provinces except the Family Domains of the Maharaja of Benares; power to extend Act	U.P.Act3,1899,s.1,Sch.1.	
Definitions	"	s.3.

2. Management and Guardianship.

Board of Revenue to be Court of Wards	"	s.4.
Disqualified proprietors:		
Who are	"	s.8.
Assumption by Court of Wards of superintendence of person or property	"	ss.9to12.
Power of Collector as to temporary custody of property and of the person of minor heirs in certain cases	"	s.13.
Assumption of superintendence to be notified and to extend to whole of ward's property	"	ss.14,15.
Collector to take possession of and manage property	"	s.15(2).
Claims against ward or his property:		
notice calling for submission of	"	s.16.
particulars of, to be furnished by claimants; inadmissibility in evidence of documents not produced	"	ss.16,20.
effect of failure to notify claim; cessation of interest; notified claims to have priority; exception of claims of Government and others	"	s.18.
admission or rejection of; saving of right of suit	"	ss.17,18,21.
Stay of proceedings in execution of decrees against ward in Civil Court	"	s.19.
Allowance for support of ward and his family	"	s.22.

COURT OF WARDS—*contd.*

G.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB.

1. Preliminary.

P. Act 2, 1903, applies to whole of Punjab	P.Act2,1903,s.1.
„ „ „ declared to be in force in N.-W. Fr. Province with modifications; repeal of Reg. 7, 1901, ss. 89 to 92	Reg.5,1904,ss.2,3.
Definitions	P.Act.2,1903,s.3.

2. Management and Guardianship.

Financial Commissioner (Revenue Commissioner in the N.-W. Fr.) to be Court of Wards	P.Act2,1903,s.4(*1*), Reg.5,1904.s,2.
Assumption by Court of Wards of superintendence of person or property of landholders in cases of disqualification, etc.	P.Act2,1903,ss.5 to8, 10.
Inquiry before taking action under Act; reference to Civil Court.	„ ss.11,12.
Assumption of superintendence to be notified and to extend to whole of the property of the ward	„ ss.9,13.
„ „ not to be questioned in Court of law	„ s.10.
Disabilities of wards and of certain persons who have been wards	„ ss.15,16.
Powers of Court of Wards as to property under its superintendence	„ ss.8,17,22.
Deputy Commissioner to take possession and manage property	„ s.21.
Power of Court of Wards to employ establishment; expenses	„ s.23.
Power of Court of Wards to provide for superintendence and supervision of persons of wards	„ s.22(*1*).
Residence and education of ward	„ s. 24.
Allowance for support of ward and his family	„ s. 25.
Claims against ward or his property:	
notice calling for submission of	„ s.26.
particulars of, to be furnished by claimants; inadmissibility in evidence of documents not produced	„ ss.26,27,30
effect of delay or failure in notifying claim; bar of claims not notified; exception of claims of Government	„ s.26(*3*),29.
admission or rejection of; saving of right of suit	„ ss.28,31(*1*),32.
stay of suits and proceedings in execution of decree against ward	„ s.31(*2*),(*3*).
orders not appealable; revision by Court of Wards	„ s.33.
powers to be exercised by Deputy Commissioner or any person authorised	„ s.34.
Appointment, etc., of guardian; application of s. 17, Guardian and Wards Act, 1890; termination of appointment	„ ss.35,36,41.
Duties of guardian	„ s.37.
Appointment, etc., of manager; termination of appointment	„ ss.38,41.
Powers and duties of manager	„ ss.39,40.
Deputy Commissioner when to act as guardian or manager	„ s.43.
Appointment, etc., of tutor for minor male ward	„ s. 35(*3*).
Application of money received by manager	„ s.40(*c*).
Power of Court of Wards to release person or property from superintendence and to appoint guardian when proprietor is still minor	„ ss.44,47,49.

COURT OF WARDS—*contd.*

F—UNITED PROVINCES—*contd.*

2. Management and Guardianship—*contd.*

Residence and education of ward	U.P.Act3,1899,	s.23
Powers of Court of Wards as to property under its superintendence	,,	ss.35,52.
Appointment, etc., of guardian; application of s. 17, Guardian and Wards Act, 1890; termination of appointment	,,	ss.24,29.
Duties of guardian	,,	s.25.
Appointment, etc., of manager; termination of appointment	,,	ss.26,29.
Powers and duties of manager	,,	ss.27,28.
Collector when to act as guardian or manager	,,	s.32.
Application of money received by manager	,,	s.33.
Disabilities of wards	,,	s.34.
Arrears of rent due to ward recoverable as arrears of land-revenue; procedure; saving of defaulter's right to bring civil suit to contest liability	,,	ss.36to39.
Power of Court of Wards to employ establishment; expenses	,,	s.40.
Power of Court of Wards to release person or property from superintendence and to appoint guardian when proprietor is still minor	,,	ss.41,43,45.
,, ,, ,, to retain superintendence notwithstanding death or cessation of disqualification of proprietor: certain disabilities of proprietor to continue	,,	s.42.
Release of person or property from superintendence to be notified	,,	s.46.
Recovery of sums due to Court of Wards	,,	s.53.
Powers of Court of Wards when succession to ward's property is disputed	,,	s.44.

3. Miscellaneous.

Control of Local Government over Court of Wards	,,	s.5.
Delegation of powers of Court of Wards	,,	s.7.
Decision by Local Government when Court's right of superintendence is disputed	,,	s.12.
Exercise of powers of Court of Wards through Commissioner or Collector	,,	s.7.
Distribution of business of Court of Wards	,,	s.6.
Guardians, managers, etc., deemed to be public servants; application of Act 12, 1850	,,	ss.30,31.
Power of Court of Wards to state case for opinion of Civil Court for adjudication of civil dispute between two or more wards	,,	s.50.
Protection of estate under management by Court of Wards from sale or annulment of settlement for arrears of revenue	U.P.Act3,1901,	ss.153,160.
Bar to civil suit on certain matters	U.P.Act3,1899,	ss.10,12,47.
Procedure in suit by or against ward	,,	ss.48,49,51.
Power of Court of Wards to enter into covenants, etc., on behalf of ward: effect of covenants: form of instruments	,,	s.52.
Power of Court of Wards to make rules	,,	s.54.
Application on behalf of ward or disqualified proprietor for benefit of U. P. Act 1, 1903	U.P.Act1,1903,	s 6.

COURT OF WARDS—*contd.*

G.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB—*contd.*

2. Management and Guardianship—*contd.*

Power of Court of Wards to retain superintendence notwithstanding death or cessation of disqualification of ward	P.Act2,1903,ss.45,46.	
Release of person or property from superintendence to be notified	,,	s.50.
Recovery of sums due to Court of Wards	,,	s.51.
Powers of Court of Wards when succession to ward's property is disputed	,,	s.48.

3. Miscellaneous.

Control of Local Government over Court of Wards	P.Act2,1903,s.4(*4*).	
Exercise of powers of Court of Wards through Commissioner, Deputy Commissioner, etc.; delegation of powers	,,	s.4(*2*),(*3*).
Protection of land under superintendence of Court of Wards from sale for arrears of revenue	,,	s.14.
Power of Court of Wards to enter into covenants, etc., on behalf of ward; effect of covenants; form of instruments	,,	s.18.
Procedure in suit by or against ward	,,	ss.19,20.
Guardians and managers deemed to be public servants; application of Act 12, 1850	,,	s.42.
Bar to civil suit on certain matters	,,	s.52.
Investigations before Deputy Commissioner under Ch. VI or Ch. VII deemed judicial proceedings	,,	s.52.
Power of Court of Wards to make rules	,,	s.54.

COURT-FEES ACT, 1870 (*See* COURT-FEES; PROCESS-FEES; SMALL CAUSE COURTS, A)	Act7,1870.
COURT-FEES ACT (1870) AMENDMENT ACT, 1870	Act20,1870.
COURT-FEES (AMENDMENT) ACT, 1899	Act11,1899.
COURT-FEES (AMENDMENT) ACT, 1901	Act10,1901.
COURT-FEES (AMENDMENT) ACT, 1905	Act6,1905.
COURT-FEES (AMENDMENT) ACT, 1910	Act7,1910.

COURT-FEES. *See also* under CHIEF COURT OF THE PUNJAB; CIVIL COURTS; LANDLORD AND TENANT XI, A. 6.

1. Preliminary.

Act 7, 1870 extends to whole of British India	Act7,1870,s.1.
,, ,, declared in force in—	
the Santhál Parganas	Reg.3,1872,3,Sch.
Upper Burma generally (except the Shan States)	Act13,1898,s.4,Sch.1.
British Baluchistan	Reg.1,1890,s.3.
the Sub-division of Angul	Reg.1,1894,s.3.
Act 20, 1870 (amending Act 7, 1870), declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3,Sch.
Upper Burma generally (except the Shan States)	Act13,1898,s.4,Sch 1.
Mad. Reg. 5, 1831, s. 7 (*2*), declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act15,1874,s.4.
Act 7, 1870, not to apply in certain cases in Santhál Parganas	Reg.3,1872,s.8.
"Chief Controlling Revenue-authority" defined	Act7,1870,s.2.

COURT-FEES—*contd.*

2. Imposition of Fees.

In Presidency Small Cause Courts. *See* SMALL CAUSE COURTS, A, 3.

In High Courts . . . . . 24-5V.c.104,s.15. Act7,1870,s.3,Sch.I,No. 21,Sch.II,Nos.7,12,14, 20,21.

" " " in cases coming before them in exercise of their extraordinary, appellate or revisional jurisdiction . . . . . Act7,1870,ss.4,6,Sch.I (am.Act7,1910), Sch. II.

In other courts and in public offices . . . . . .

Fees in suits instituted in Colonial Court of Admiralty at Aden, Rangoon or Karachi to be levied in accordance with Ch. III of Act 7, 1870; exception . . . . . Act16,1891,s.4.

Exemptions from fees:

General list of documents exempted from fees . . . Act7,1870,s.19.

Power of Governor General in Council to remit fees . . " s.35.

Power to grant to exemption in Angul . . . . . Reg.1,1894,s.58.

3. Collection of Fees.

Fees to be collected by impressed or adhesive stamps . . Act7,1870,ss.25,26.

Power of Local Government to make rules—

as to supply, number, renewal and keeping accounts of stamps . . . . . " s.27.

as to sale of stamps . . . . . " s.34.

Documents invalid unless properly stamped . . . . Power of Judge, etc., to direct stamping where unstamped document received in Court, etc., through mistake or inadvertence " s.28.

Power of Court to allow deficiency in court-fees to be made up . Act5,1908,s.149.

Fresh stamp when not required on amended document . Act7,1870,s.29.

Documents not to be filed or acted upon until stamp cancelled . " s.30.

In High Court or Presidency Small Cause Court; procedure in case of difference as to necessity or amount of fee . . . " s.5.

In other Courts and in public offices:

Fee how to be computed in case of—

certain suits . . . . . " s.7.

suits, applications and appeals under Agra Tenancy Act, 1901 . . . . . U.P.Act2,1901,s.170, Sch.4.

memorandum of appeal against order relating to compensation under Land Acquisition Act . . . . . Act7,1870,s.8.

Power to issue commission to ascertain net profits or market-value; procedure on report of Commissioner . . . " ss.9,10.

Stay of execution of decree for mesne profits or account till full fee paid . . . . . " s.11.

Decision of question as to valuation . . . . . " s.12.

Fee in multifarious suit . . . . . " s.17.

" on written examination of complainant . . . . " s.18.

Refund of fees in certain cases . . . . . " ss.13to15. Act18,1884,s.72.

Special provisions as to probates and letters of administration:

Notice of application for probate or letters of administration to be given to revenue-authorities; procedure thereon Act7,1870,s.19H.

COURT-FEES—*concld.*

3. Collection of Fees—*contd.*

Special provisions as to probates and letters of administration—*contd.*

Valuation to be filed and fee to be paid before order granting probate or letters of administration	Act 7, 1870, s. 19I.
Refund when too high a fee paid by executor or administrator	,, s. 19A.
Refund where debts due from deceased person have been paid out of his estate	,, s. 19B.
Relief in case of several grants	,, s. 19C.
Probates and letters of administration valid as to trust-property, though such property is not covered by court-fee paid	,, ss. 19D, 19G.
Payment of additional fee, with penalty, by executor or administrator where too low a fee paid in the first instance; power to remit penalty; administrator to give security; recovery of penalties	,, ss. 19E, 19F, 19G, 19J. Act 6, 1889, s. 20.
Act 7, 1870, s. 6 or s. 28, not to apply to probate or letters of administration	Act 7, 1870, s. 19K.

4. Miscellaneous.

Sections 4 and 6 of Act not to prevent filing or exhibition of unstamped document in Criminal Court when Judge considers such filing or exhibition necessary to prevent failure of justice	Act 7, 1870, s. 33.
Act 7, 1870, Chaps. II and V (ss. 3 to 5, 25 to 30) not to apply to commission or fees of certain officers of High Court	,, s. 36.
Repayment to complainant by accused, on conviction, of fees paid by former	,, s. 31.
Recovery of fine from ministerial officer when prescribed stamp not used for document filed or copy given	Mad. Reg. 5, 1831, s. 7(2).
Act 7, 1870, ss. 20, 21, 22 and 23, not to apply to areas in which Bur. Act 1, 1910, is in force	[1]Bur. Act 1, 1910, s. 2.

Offences relating to stamps. *See* CRIMINAL LAW (IND.), 10.

Fees for processes. *See* PROCESS-FEES.

CREMATION. *See* DISPOSAL OF THE DEAD.

CRIME IN PLANTATIONS [*See* CRIMINAL LAW AND PROCEDURE (ENGLISH); VENUE]	11 W. 3, c. 12.

CRIMINAL COURTS.

Constitution, powers and procedure of. *See* CRIMINAL PROCEDURE (IND).

CRIMINAL FORCE. *See* CRIMINAL LAW (IND.), 14 (*b*).

CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE. *See* CRIMINAL LAW (IND.), 22.

CRIMINAL JURISDICTION ACT, 1802.[2] [*See* CRIMINAL LAW (ENGLISH)]	42 G. 3, c. 85.
CRIMINAL JUSTICE REGULATION (BRITISH BALUCHISTAN, 1896 (*See* CRIMINAL PROCEDURE)	Reg. 3, 1896.
,, ,, ,, (UPPER BURMA), 1892 (*See* CRIMINAL PROCEDURE)	Reg. 5, 1892.

[1] Bur. Act 1, 1910, will come into force when notified.
[2] This short title was given by 59 & 60 Vict., c. 14.

CRIMINAL LAW (INDIA) ACT, 1828.[1] [*See* CRIMINAL LAW AND PROCEDURE (ENGLISH); HIGH COURT] . . . . . 9G.4,c.74.

CRIMINAL LAW AND PROCEDURE (ENGLISH).

1698-9. 11 W. 3, c. 12 (Public Officer).
1770. 10 G. 3, c. 47, s. 4 (Trial in England).
1772-3. 13 G. 3, c. 63, ss. 39 to 43 (Trial in England).
1780-1. 21 G. 3, c. 70, ss. 4 to 7 (Trial in England).
1784. 24 G. 3, sess. 2, c. 25 (Special Commission).
1786. 26 G. 3, c. 57 (Special Commission, etc.).
1792-3. 33 G. 3, c. 52, ss. 45, 46, 140, 141 (Trial; arrest).
1796-7. 37 G. 3, c. 142, s. 14 (Trial in England).
1801-2. 42 G. 3, c. 85 (Public Officer).
1809. 49 G. 3, c. 126 (Sale of Office).
1812. 52 G. 3, c. 156 (Escape).
1828. 9 G. 4, c. 74, ss. 7 to 9, 25, 26, 56 (Trial).
1833. 3-4 W. 4, c. 85, s. 46 (European British subjects).
1849. 12-3 V. c. 96, s. 3 (Murder, etc.).
1860. 23-4 V. c. 88 (Admiralty Jurisdiction; Prosecution of Offences).
" 23-4 V. c. 122 (Murder, etc.).
1874. 37-8 V. c. 27 (Admiralty Jurisdiction; Prosecution of Offences).
1876. 39-40 V. c. 46 (Slave Trade, etc.).
1878. 41-2 V. c. 73 (Territorial Waters).
1890. 53-4 V. c. 37, s. 5 (Foreign Jurisdiction).

Sale of offices.
Persons buying and selling offices . . . . . 49G.3,c.126.
Exemption in case of authorised army exchanges *See* ARMY, 2.
Persons opening or advertising houses, etc., for transacting business in relation to . . . . . 49G.3,c.126,ss.5,6.
Offences committed abroad in relation to, to be tried in Court of Queen's Bench . . . . . " s.14.
Assisting escape of prisoners of war . . . . . 52G.3,c.156.
Trial of Governors of plantations, etc., in Court of Queen's Bench or by special commissioners . . . . . 11W.3,c.12.
Trial in Court of Queen's Bench of persons employed in public service abroad . . . . . 42G.3,c.85.
Trial as for offence in British Possession, on death there from injury inflicted at sea, etc. . . . . 12-3V.c.96,s.3.
Trial as for offence at sea, on death at sea, etc., from injury inflicted in British Possession . . . . . 12-3V.c.96,s.3.
Power of Legislature of British Possession to legislate for trial, etc., of murder, etc., therein, where person injured dies elsewhere . . . . . 23-4V c.122.
Power to try and punish murder or manslaughter, where offence not wholly committed and completed within jurisdiction; or any offence committed at sea . . . . . 9G.4,c.74,s.56. 23-4V.c.88. 37-8V.c.27.
Sentences to be passed by Indian Courts, at trials held by virtue of Act of Parliament for offence committed beyond jurisdiction or made punishable by Act of Parliament . . . . 37,38V.c.27,s.3.
Power to punish offences against laws relating to the slave trade committed out of jurisdiction . . . . . 39-40V.c.46.
Trial in Colonial Courts of offences committed elsewhere, under Foreign Jurisdiction Acts. *See* FOREIGN JURISDICTION.
Extension, by Order in Council, of 12-3 Vict. c. 96 and 23-4 Vict. c. 122 to any place to which Foreign Jurisdiction Act, 1890, applies . . . . . 53-4V.c.37,s.5,Sch.I.

[1] This short title was given by 59 & 60 Vict., c. 14.

CRIMINAL LAW AND PROCEDURE (ENGLISH)—*contd.*

Trial of offences committed within territorial waters of Her Majesty's dominions, though committed on or by means of foreign ship; saving as to trial of pirates; definition of territorial waters, etc.	41-2V.c.73.
Power to try British subjects in England for offences committed in India, and proceedings thereunder	10G.3,c.47,s.4. 13G.3,c.63,ss39to41. 21G.3.c.70,ss.4to7. 33G.3,c.52,ss.140,141. 37G.3,c.142,s.14.
Warrant of Lord Chancellor or Speaker for taking evidence in India on proceedings in Parliament touching offences	13G.3,c.63,ss.42,43.
Proceedings by special commission against British subjects holding certain offices and employments for extortion, etc.	24G.3,sess.2,c.25. 26G.3,c.57.
Power to High Court of Justice to try the information	26G.3,c.57,s.25.
Warrants for arrest of persons suspected of carrying on correspondence dangerous to safety of British Possessions	33,C.3,c.54,ss.45,46.
Accessories in felony	9G.4,c.74,ss.7to9.
Mode of prosecuting certain offences	33G.3,c.52,s.140.
Inferior Courts not to have power of sentencing European British subjects to death	3-4W.4,c.85,s.46.
Punishment of offences in Admiralty Courts	9G.4,c.74,s.25.
Interpretation of criminal statutes	,, s.26.

CRIMINAL LAW (INDIAN).

1817. Ben. Reg. 12, s. 30 (Falsification of Accounts).
1855. Act 24 (Penal Servitude).
1860. Act 45 (Penal Code).
1870. Act 27 (Amendment of Penal Code).
1872. Act 4, s. 39 (Laws, Punjab).
,, Reg. 3, s. 3 (Laws, Santhál Parganas).
,, Reg. 5, ss. 7, 11 (Sindh Frontier).
1874. Act 15, s. 3 (Laws Local Extent).
,, Reg. 9, s. 3 (Laws, Arakan Hill District).
1877. Reg. 3, s. 29 (Laws, Ajmere).
1882. Act 15, Ch. XII (Presidency Small Cause Courts).
1890. Act 9, s. 130 (Railways).
,, Reg. 1, s. 3 (Laws, British Baluchistan).
1894. Reg. 1, s. 3 (Laws, Angul).
1895. Reg. 1, s. 3 (Laws, Kachin Hills).
1896. Reg. 5, s. 3 (Laws, Chin Hills).
1897. Act 10, ss. 25, 26 (General Clauses).
1898. Act 4 (Amendment of Penal Code).
1898. Act 5, ss. 44, 45, Ch. IX, ss. 195 to 199, 345, 480 to 482, 521 (Criminal Procedure Code).
,, Act 6, s. 17 (Post Office).
1900. Reg. 1, s. 4 (Whipping, Chittagong Hill tracts).
1901. Reg. 3, ss. 6, 12 (Crimes, Frontier).
1902. Bom. Act 4, ss. 40 to 44 (Police, Bom. City).
1908. Act 14 (Criminal Law Amendment).
1909. Act 4 (Whipping).
1910. Act 9, s. 39 (Electricity; Theft).
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1. Preliminary.

Indian Penal Code (Act 45, 1860) applies throughout British India (*see also below*, 24)	Act45,1860,s.1.
Extension of Code to extra-territorial offences	" s.4.
Act 24, 1855 (Penal Servitude) declared in force throughout British India, except as regards the Scheduled Districts (*see also below*, 24)	Act15,1874,s.3.
Punishment to be inflicted under Indian Penal Code and not otherwise; saving of Acts of Parliament, Army Act and special and local laws	Act45,1860,ss.2,3,5.
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General definitions	Act45,1860,ss.6to52.

2. Punishments.

Punishments to which offenders are liable (death, transportation, penal servitude, imprisonment, forfeiture, fine)	Act45,1860,s.53.
In what cases whipping may be inflicted—	
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Commutation of sentences of death or transportation for life	Act45,1860,ss.54,55.
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" imprisonment for non-payment of	" ss.64,65,66,67, 68,69.
" " " " in Kachin Hill-tracts	" s.67(am.Reg.1, 1895,s.3,Sch.).
" leviable within six years; death not to discharge property from liability	" s.70.

[1] Act 6, 1864, is rep. by Act 4, 1909, except in Angul District, Chittagong Hill tracts, Kachin Hill tracts and Chin Hills; it has not been indexed.

CRIMINAL LAW (INDIAN)—*contd.*

2. Punishments—*contd.*

Limit of punishment of offence made up of several offences	Act45,1860,s.71.
Punishment of person guilty of one of several offences, the judgment stating that it is doubtful of which	,, s.72.
Solitary confinement	,, ss.73,74.
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Punishment when act is an offence under several enactments	,, s. 26.
Enhanced punishment for certain offences relating to coin, Government stamps or property, after previous conviction in British India or by certain courts outside British India	Act45,1860,s.75(sub. Act3,1910).

See also, as to particular punishments for various offences, the Acts relating to such offences.

3. General Exceptions.

No offence where act done—	
by person bound or justified by law	Act45,1860,ss.76,79.
by Judge acting judicially	,, s.77.
pursuant to judgment or order of Court	,, s.78.
by accident in doing lawful act	,, s.80.
without criminal intent, in order to prevent harm	,, s.81
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,, except where act endangers safety of persons travelling by railway	Act9,1890,s.130.
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by intoxicated person ; exceptions	Act45,1860,ss.85,86.
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4. Offences against the State.

Waging war against the Queen ; conspiracy, collecting arms, etc., concealing design	Act45,1860,ss.121,121A, 122,123. Act27,1870,s.13.
Assaulting, etc., Governor General, Governor or Member of Council	Act45,1860,s.124.
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Waging war against, or committing depredation in territories of, Power at peace with Queen	Act45,1860,ss.125to127.
Circulating false report to induce offence against the State	,, s.505.
Public servant allowing prisoner of State or war to escape	,, ss.128,129.
Harbouring, etc., prisoner of State or war	,, s.130.
Obligation to give information of offences	Act5,1898,ss.44,45.
Authority for instituting prosecutions	Act45,1860,s.196.

CRIMINAL LAW (INDIAN)—*contd.*

5. Offences relating to the Army, Navy or Royal Indian Marine.

Abetting mutiny, or attempting to seduce from duty	Act45,1860,ss.131,132.
„ assault on officer	„ ss.133,134.
„ desertion, or harbouring deserter	„ ss.135to137.
„ act of insubordination	„ s.138.
Application of ss. 131 to 138 to Royal Indian Marine	„ s.138A.
Wearing garb or token used by soldier	„ s.140.
Persons subject to Articles of War not liable to punishment under ss. 131 to 138 or 140	„ s.139.
Circulating, making, etc., false report, statement, etc., to cause or which is likely to cause mutiny in Army or Navy or other public mischief	„ s.505.

See also INDIAN MILITARY AND NAVAL FORCES, I, III, 3.

6. Offences against the Public Tranquillity.

Unlawful assembly and rioting; promoting enmity between classes	Act45,1860,ss.141to158. Act4,1898,s.5.
Public meeting prohibited under Act 10, 1911 (Seditious Meetings Act), to be deemed an unlawful assembly	Act10,1911,s.6(2).
Dispersion of unlawful assemblies use of military force	Act5,1898,Ch.IX. Bom.Act 4,1902.ss.40-44.
Powers for prevention of rioting and disturbances of peace, etc.	Bom.Act4,1890,ss.42to 44,68. Bom.Act4,1902.ss.23to 27,127,128.
Power to award compensation to person injured by act of unlawful assembly. *See* CRIMINAL PROCEDURE (INDIAN), 6; DISTURBED DISTRICTS; POLICE, I.	
Obligation to give information of offences	Act5,1898,ss.44,45.
Affray	Act45,1860,ss.159,160.
Circulating false report to disturb public tranquillity	„ s.505.
Unlawful associations	Act14,1908,Pt.II.
Unlawfully holding public meeting or delivering speeches in public places in proclaimed area	Act10,1911,ss.6,7.

See also CRIMINAL PROCEDURE (INDIAN), 6; DISTURBED DISTRICTS; POLICE I.

7. Offences by or relating to Public Servants.

Public servant allowing prisoner of State or war to escape	Act45,1860,ss.128,129.
„ „ taking illegal gratification	„ ss.161,165.
„ „ abetting offence against s. 162 or s. 163	„ s.164.
„ „ disobeying law or framing incorrect document, with intent to cause injury	„ ss.166,167.
„ „ unlawfully engaging in trade or buying property	„ ss.168,169.
„ „ authority for instituting proceedings against	Act5,1898,s.197.
Taking gratification to influence public servant	Act45,1860,ss.162,163.
Personating public servant	„ ss.170,171.

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CRIMINAL LAW (INDIAN)—*contd.*

8. Contempts of lawful authority of Public Servants.

Absconding to avoid service of summons, etc.	Act45,1860,s.172.
Preventing service or publication of summons, notice, etc.	,, s.173.
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,, to answer question	,, s.179.
,, to sign statement	,, s.180.
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,, ,, to induce person to refrain from applying for protection of public servant	,, s.190.
Authority for instituting prosecution under ss. 172 to 188 of Act 45, 1860	Act5,1898,s.195(*a*).
Procedure in case of offences under ss. 172 to 188 of Act 45, 1860	,, ss.476to487. Act15,1882,Ch.12.

9. False Evidence and Offences against Public Justice.

Giving or fabricating false evidence	Act45,1860,ss.191to195.
Using false evidence	,, s.196.
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Making or using false declaration	,, ss.199,200.
Withholding evidence, etc., to screen offender	,, ss.201,202,203, *expln.*
Giving false evidence as to offence	,, s.203.
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False personation in suit or prosecution	,, s.205.
Fraudulently removing or concealing property	,, s.206.
,, claiming property	,, s.207.
,, suffering decree for sum not due	,, s.208.
,, making false claim in Court	,, s.209.
,, obtaining decree for sum not due	,, s.210.
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CRIMINAL LAW (INDIAN)—*contd.*

9. False Evidence and Offences against Public Justice—*contd.*

Public servant disobeying law, or framing incorrect record, to save person from punishment or property from forfeiture . . . . . Act45,1860,ss.217,218.

" " corruptly making report, etc., in course of judicial proceeding . . . . . " s.219.

" " or other person corruptly committing for trial or keeping person in confinement . . . " s.220.

" " omitting to apprehend person or keep person in confinement, or suffering escape . . . " ss.221,222,223,225A. Act27,1870,s.13.

" " insult or interruption to, in judicial proceeding . Act45,1860,s.228.

Resistance or obstruction to lawful apprehension . . . " ss.224,225,225B. Act27,1870,s.13.

Unlawful return from transportation . . . . . Act45,1860,s.226.

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Authority for instituting prosecutions under ss. 193 to 196, 199, 200, 205 to 211, 228 of Act 45, 1860 . . . . . Act5,1898,s.195(b).

Procedure in case of offences under Act 45, 1860—

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10. Offences relating to Coin or Government Stamps.

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Definition of "coin" and "Queen's coin" . . . . Act45,1860,s.230.

Counterfeiting . . . . . " ss.231,232.

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Counterfeit coin; import or export of . . . . . " ss.237,238.

" " other dealings with . . . . . " ss.239to243.

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" unlawfully taking coining instrument from . . . " s.245.

Fraudulently diminishing weight or altering composition of coin . . . . . " ss.246,247.

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Counterfeiting . . . . . " s.255.

" making, etc., instrument, etc., for . . . " ss.256,257.

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Offences in connection with stamps already used . . . " ss.261to263.

Fictitious stamps . . . . . " s.263A.

Meaning of "Government," as used in ss. 255 to 263A . . .

Postage stamps to be deemed stamps issued by Government for the purpose of revenue . . . . . Act6,1898,s.17.

Enhanced punishment for certain offences after previous conviction . . . . . Act45,1860,s.75.

11. Offences relating to Weights and Measures.

Fraudulent use of false instrument for weighing . . . . " s.264.

" " weight or measure . . . . " s.265.

Possessing, making, etc., false weight or measure . . . " ss.266,267.

CRIMINAL LAW (INDIAN)—*contd.*

12. Offences affecting the Public Health, Safety, Convenience, Decency or Morals.

Definition of "public nuisance" . . . . . Act45,1860,s.268.
Spreading infection of disease dangerous to life . . . „ ss.269,270.
Disobeying quarantine rule . . . . . „ s.271.
Adulteration of food, drink or drugs . . . . . „ ss.272to275.
„ „ „ „ destruction of article on conviction . . . . Act5,1898,s.521.
Sale of drug or medical preparation as different drug or preparation . . . . . Act45,1860,s.276.
Fouling water . . . . . „ s.277.
Making atmosphere noxious . . . . . „ s.278.
Rash driving, riding or navigation . . . . . „ ss.279,280.
Exhibiting false light, mark or buoy . . . . . „ s.281.
Conveying person in unsafe vessel . . . . . „ s.282.
Causing danger in public way or line of navigation . . . . „ s.283.
Negligent conduct with respect to—
poison, fire, combustibles, explosive, machinery or animal . Act45,1860,ss.284to287,289.
pulling down or repairing building . . . . . „ s.288.
Other public nuisances . . . . . „ s.290.
Continuance of nuisance after injunction to discontinue . . „ s.291.
Obscenity . . . . . „ ss.292,293,294.
destruction of obscene books, etc., on conviction . Act5,1898,s.521
Keeping lottery office . . . . . Act45,1860,s.294A. Act27,1870,s.13.
„ „ „ authority for instituting prosecution for . Act5,1898,s.196.

13. Offences relating to Religion.

Defiling place of worship, disturbing religious assembly, trespassing on burial place, etc. . . . . Act45,1860,ss.295to297.
Uttering words, etc., to wound religious feelings . . . „ s.298.
„ „ „ „ „ „ offence may be compounded Act5,1898,s.345.

14. Offences affecting the Human Body.

(*a*) Offences affecting Life.

Culpable homicide and murder; attempts . . . . . Act45,1860,ss.299to304, 307,308.
„ „ „ „ duty to give information of offence . Act5,1898,ss.44,45.
Causing death by negligence . . . . . Act45,1860,s.304A. Act27,1870,s.13.
Suicide; abetment and attempt . . . . . Act45,1860,ss.305,306,309.
Being a thug . . . . . „ ss.310,311.
Causing miscarriage, etc. . . . . „ ss.312to316.
Exposure of child; concealment of birth . . . . . „ ss.317,318.
Rash act endangering human life . . . . . „ s.336.

(*b*) Other Offences.

Causing hurt . . . . . „ ss.319to335,337,338.
„ „ compounding for offence . . . . . Act5,1898,s.345.

CRIMINAL LAW (INDIAN)—*contd.*

14. Offences affecting the Human Body—*contd.*

(*b*) Other Offences—*contd.*

Rash act endangering personal safety	Act45,1860,s.336.
Wrongful restraint and wrongful confinement	„ ss.339to348.
„ „ „ „ „ compounding for offence	Act5,1898,s.345.
Criminal force and assault	Act45,1860,ss.349to358.
„ „ „ compounding for offence	Act5,1898,s.345.
Kidnapping and abduction	Act45,1860,ss.359to369.
Slavery	„ ss.370,371.
Selling or buying minor for purposes of prostitution, etc.	„ ss.372,373.
Unlawful compulsory labour	s.374.
„ „ „ compounding for offence	Act5,1898,s.345.
Rape	Act45,1860,ss.375,376.
„ whipping	Act4,1909,s.4.
Unnatural offences	Act45,1860,s.377.
„ „ whipping	Act4,1909,s.4.

15. Offences against Property.

Theft	Act45,1860,ss.378to382. Act9,1910,s.39.
„ obligation to give information of offence under s. 382, Act 45, 1860	Act5,1898,ss.44,45.
„ whipping	Act4,1909,s.3.
Extortion	Act45,1860,ss.383to389.
Robbery and dacoity	„ ss.390to402.
„ „ „ obligation to give information of offences	Act5,1898,ss.44,45.
„ „ „ whipping	Act4,1909,s.4.
Criminal misappropriation of property	Act45,1860,ss.403,404.
„ breach of trust	„ ss.405to409.
Receiving, etc., stolen property	„ ss.410to414.
Cheating	„ ss.415to420.
Fraudulent deeds and dispositions of property	„ ss.421to424.
Mischief	„ ss.425to438,440.
„ with respect to documents	„ s.477.
„ obligation to give information of offence	Act5,1898,ss.44,45.
„ compounding for offence	Act45,1860,s.345.
Running vessel aground or ashore to commit theft, etc.	„ s.439.
Criminal trespass	„ ss.441to460.
„ „ obligation to give information of offence	Act5,1898,ss.44,45.
Criminal trespass; compounding for offence	Act5,1898,s.345.
Dishonestly breaking open receptacle containing property	Act45,1860,ss.461,462.
Enhanced punishment for certain offences after previous conviction	„ s.75.

16. Offences relating to Documents.

Forgery	Act45,1860,ss.463,465to469.
Definition of "making a false document"	„ s.464.

CRIMINAL LAW (INDIAN)—*contd.*

16. Offences relating to Documents—*contd.*

Using, or intending to use, as genuine, a forged document	Act45,1860,ss.470,471,474.
Making, etc., counterfeit seal, mark, etc.	„ ss.472,473,475,476.
Fraudulent cancellation, destruction, etc., of will, authority to adopt, or valuable security	„ s.477.
Authority for instituting prosecutions under ss. 463, 471, 475, 476, Act 45, 1860	Act5,1898,s.195(*c*).
Procedure in case of offences under ss. 463, 471, 475, 476, Act 45, 1860	Act5,1898,ss.476to479, 487.
Falsification of accounts, etc.	Act45,1860,s.477A.
„ „ punishment of native agents of landholders for falsification, etc., of accounts	(Ben.andE.B)Ben. Reg.12,1817,s.30.

17. Trade, Property and other Marks.

Definitions and punishments (*See* MERCHANDISE MARKS)	Act45,1860,ss.478to489.

18. Currency Notes and Bank Notes.

Counterfeiting currency or bank note	„ s.489A.
Using as genuine or possessing counterfeit notes	„ ss.489B,489C.
Making or possessing instruments for making counterfeit notes	„ s.489D.

19. Criminal Breach of Contracts of Service.

Breach of contract of service during journey	„ s.490.
„ „ to attend on or supply wants of helpless person	„ s.491.
„ „ to serve at distant place to which servant is conveyed at master's expense	„ s.492.
Cognizance of offence may be taken only on complaint of aggrieved party	Act5,1898,s.198.
Compounding for offence	„ s.345.

20. Offences relating to Marriage.

Cohabitation caused by man deceitfully inducing belief of lawful marriage	Act45,1860,s.493.
Bigamy	„ ss 494,495.
Fraudulently going through marriage ceremony without lawful marriage	„ s.496.
Cognizance of offences under ss. 493 to 496 may be taken only on complaint of aggrieved party	Act,5,1898,s.198.
Adultery	Act45,1860,s.497
„ in Sindh, Punjab and British Baluchistan frontier districts: married woman punishable	Reg.5,1872,s.7. Reg.3,1901,s.30.
Enticing, etc., married woman	Act45,1860,s.498.
Cognizance of offence under s. 497 or s. 498 may be taken only on complaint by husband or guardian of woman	Act5,1898,s.199.
Compounding offence under s. 497 or s. 498	„ s.345.

CRIMINAL LAW (INDIAN)—*contd.*

21. Defamation.

Definition, exceptions and punishments	Act45,1860,ss.499to502.
Cognizance of offence may be taken only on complaint of aggrieved party	Act5,1898,s.198.
Compounding for offence	„ s.345.
Destruction of defamatory documents on conviction	„ s.521.

22. Criminal Intimidation, Insult and Annoyance.

Definitions and punishments	Act45,1860,ss.503to510.
Compounding for certain offences	Act5,1898,s.345.

23. Abetment and Attempts.

Definitions of "abetment" and "abettor"	Act45,1860,ss.107,108, 108A.
Punishment for abetment	„ ss.109to120.
„ „ attempt to commit offence	„ s.511.
Ss. 107 to 120 and 511 applied to offences under sections added by Act 27, 1870	Act27,1870,s.13.
Compounding for abetment or attempt	Act5,1898,s.345.
Suicide	Act45,1860,ss.305,306,309.

24. Procedure.

See CRIMINAL PROCEDURE (INDIAN).

25. Special and Local.

Indian Penal Code (Act 45, 1860) declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3,Sch.
the Chittagong Hill-tracts	Reg.1,1900,s.4.
the Arakan Hill District	Reg.9,1874,s.3.
Upper Burma generally (except the Shan States)	Act13,1898,s.4,Sch.1.
British Baluchistan	Reg.1,1890,s.3.
Angul District	Reg.1,1894,s.3
Kachin Hill-tracts, as regards hill-tribes (with modification)	Reg.1,1895,s.3.
certain tracts in the Chin Hills (with modification)	Reg.5,1896,s.3.
Acts 27, 1870, and 19, 1872 (amending Penal Code), declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3,Sch.
the Arakan Hill District	Reg.9,1874,s.3.
Acts 8, 1882, and 10, 1886, ss. 21 to 24 (amending Penal Code), declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3,Sch.
Act 4, 1898 (amending Penal Code), declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3,Sch.
Act 12,1899 (Currency Notes Forgery, amending Penal Code), declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3,Sch.
Act 24, 1855 (Penal Servitude), declared in force in—	
whole of British India except the Scheduled Districts	Act15,1874,s.3.
the Santhál Parganas	Reg.3,1872,s.3,Sch.

CRIMINAL LAW (INDIAN)—*contd.*

25. Special and Local—*contd.*

Act 24, 1855 (Penal Servitude), declared in force in—*contd.*
Upper Burma generally (except the Shan States) . . Act13,1898,s.4,Sch.1.
British Baluchistan . . . . . Reg.1,1890,s.3.
[1] Act 6, 1864 (Whipping), declared in force in—
Angul and the Khondmals . . . . . Reg.1,1894,s.3.
Kachin Hill-tracts, as regards hill-tribes (with a modification) . . . . . Reg.1,1895,s.3.
certain tracts in the Chin Hills (with a modification) . . Reg.5,1896,s.3.
the Chittagong Hill-tracts (with a modification) . . . Reg.1,1900,s.4.
Indian Penal Code applied to offences committed before 1st January, 1862, in—
Punjab . . . . . Act4,1872,s.39.
Ajmere . . . . . Reg.3,1877,s.29.
Indian Penal Code repealed in Sindh Frontier, so far as Reg. 5, 1872, is inconsistent with the Code . . . . . Reg.5,1872,s.11.
For local laws, see also ANGUL; BURMA (3); CHIN HILLS; DISTURBED DISTRICT; FRONTIER; GANJAM AND VIZAGAPATAM; KACHIN HILLS; SPITI.
For special laws, see COINAGE; EXCISE; FOREST, 7; MERCHANDISE MARKS; MURDEROUS OUTRAGES; PRECIOUS STONES; *and other heads.*

CRIMINAL LUNATICS ACT, 1884 (*See* LUNATIC) . . 47-8V.c.64.

CRIMINAL PROCEDURE (INDIAN).

1816. Mad. Reg. 11, s. 47 (Maintenance of the peace).
1817. Ben. Reg. 20, s. 30 (Prevention of offences).
1827. Bom. Reg. 12, s. 27 (2) (Prevention of offences).
,, Bom. Reg. 13, s. 34 (3) (Summons).
1856. Act 20, s. 52 (Prevention of offences).
1857. Act 21, ss. 1, 3 (Prevention of offences, Howrah).
1866. Ben. Act 2, ss. 16, 44 (Police, Calcutta Suburbs).
,, Ben. Act 4, ss. 32, 74, 75 (Police, Calcutta).
1867. Act 16 (Acting Judges).
,, Bom. Act 8, ss. 6, 8 (Prevention of offences).
1870. Ben. Act 6, s. 39 (Prevention of offences).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
,, Reg. 5, s. 11 (Sindh Frontier).
1873. Act 16, s. 8 (Prevention of offences).
1874. Act 15, ss. 5, 6 (Laws Local Extent).
1876. Reg. 3, s. 13 (Andamans).
1877. Act 4, s. 57 (Fees for processes).
1877. Reg. 1, ss. 38, 39, 41 (Courts, Ajmere).
1883. Reg. 1, s. 18 (Prevention of offences).
1886. Mad. Act 1, s. 40 (Excise, Madras).
1887. Ben. Act 5, ss. 22, 30 (Prevention of offences).
,, Reg. 9, s. 5 (Frontiers, etc.).
,, Reg. 12, s. 9 (Precious Stones, Upper Burma).
1888. Mad. Act 3, ss. 25, 64 (Police, Madras City).
1890. Bom. Act 4, ss. 42 to 44, 46, 50, 54, 55, 68, 70, 71 (Breach of the peace).
,, Reg. 1, s. 3 (Laws, British Baluchistan).
1892. Reg. 3, s. 27 (Sindh Frontier).
,, Reg. 5 (Criminal Justice, Upper Burma).
1893. Reg. 5, s. 4 (Justice, Santhál Parganas).
1894. Reg. 1, s. 3 (Laws, Angul).
1895. Reg. 1, s. 3 (Laws, Kachin Hills).
1896. Reg. 5, s. 3 (Laws, Chin Hills).
,, Reg. 8, s. 3 (Criminal Justice, British Baluchistan).
1898. Act 5 (Criminal Procedure).

[1] Act 6, 1864, is repealed except in the Angul District, the Chittagong Hill-tracts, Kachin Hill-tracts, and the Chin Hills; it is not indexed.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

1898. Act 6, s. 7 (Post Office).
„ Act 13, s. 4 (Laws, Burma).
1899. Act 2, s. 72 (Stamps).
„ Bur. Act 1, s. 17 (Gaming, Burma).
„ „ „ 4, ss. 30, 31A, 35, 36 (Police, Rangoon).
1900. Act 6, ss. 8, 13 (Courts, Lower Burma).
„ Reg. 1, s. 4 (Chittagong Hill-tracts).
1901. Reg. 1, s. 16 (Courts, Coorg).
„ Reg. 3 (Frontier Crimes).
„ Reg. 7, ss, 3, 6, 42 (Laws and Justice, N.-W. Fr.).
1902. Act 2, s. 44 (Cantonments, House-accommodation).
1902. Bom. Act 4, ss. 40 to 44, 57 to 110 (Police, Bombay City).
1903. Act 15, s. 23 (Extradition).
1904. Act 2, s. 3 (Courts, Central Provinces).
1907. Bur. Act 6, s. 7 (Village, Burma).
1908. Act 7, s. 9 (Newspapers).
„ Act 14, (Criminal Law Amendment).
1909. Act 3, ss. 45, 100, 104 (Insolvency, Presidency-towns).
1910. Act 1, ss. 7, 12 (Press).
„ E. B. A. Act 1, s. 49 (Excise).
„ U. P. Act 4, s. 49 (Excise).
1911. Act 10, ss. 4, 6 (Prevention of Seditious Meetings).

1. Preliminary.
2. Criminal Courts and Offices.
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9. Sentences.
10. Appeal, Reference and Revision.
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13. Special and Local.

1. Preliminary.

Act 5, 1898 (the Code of Criminal Procedure, 1898)—
extends to whole of British India . . . . . Act5,1898,s.1.
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the Chittagong Hill-tracts . . . . . Reg.1,1900,s.4.
the Santhál Parganas . . . . . Reg.3,1872,s.3. Reg.5,1893,s.4.
Upper Burma (except the Shan States) (with modifications). Reg.5,1892,s.2. Act13,1898,s.4,Sch. I.
not to affect special or local laws, etc., except as specifically provided . . . . . Act5,1898, s. 1.
to apply to proceedings under Act 7, 1908 . . . . . Act7,1908,s.9.
Saving of notifications, etc., under, and references in, prior Acts Act5,1898,ss.2,3.
General definitions . . . . . „ s.4,Sch.II.
Offences under Indian Penal Code and other laws to be tried under Act 5, 1898; saving of provisions of such other laws . s.5.

2. Criminal Courts and Offices.

Classes of Courts . . . . . „ s.6.
Sessions Divisions, Districts and Sub-divisions; constitution and alteration of . . . . . „ ss.7,8.
Constitution of Courts of Session and appointment, etc., of Sessions Judges . . . . . „ ss.9,17.
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Appointment, etc., of Provincial Magistrates . . . . . Act5,1898,ss.10to14,17.
Benches of Magistrates; constitution, etc., of . . . . . „ ss.15to17.
Appointment, etc., of Presidency Magistrates . . . . . „ ss.18to21.
„ „ of Justices of the Peace . . . . . „ ss.22to25.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

2. Criminal Courts and Offices—*contd.*

Suspension and removal of Judges, Magistrates and Justices of the Peace . . . . . Act5,1898,ss.26,27.

Powers of Courts :

Offences cognizable by Courts of various classes . . . „ ss.28to30, Sch.II.

Ordinary and additional powers of Magistrates . . . „ ss.36to38,Schs. III,IV.

Conferment, continuance and cancellation of powers . . „ ss.39to41.

Sentences which may be passed. *See below*, 9 (*1*).

Magisterial powers of police-officers :

See POLICE, I, A, 2 ; B ; D, 1 ; F, 2 ; G, 2 ; H, 2 ; J, 2.

3. Aid and Information to Magistrates, etc.

Public when bound to assist Magistrates and police . . . „ s.42.

Aid to person (other than police-officer) executing warrant . „ s.43.

Public bound to give information of certain offences . . „ s.44.

Certain village-officers, owners and occupiers of land and their agents, and officers collecting revenue or rent for Government or for Court of Wards, bound to give information of certain offences . . . . . „ s.45.

S. 45, Act 5, 1898, not to apply to village tracts in Burma . . Bur.Act6,1907,s.7(2).

Notice to be given of certain public meetings in areas proclaimed under Act 10, 1911 . . . . . Act10,1911,s.4.

See also FOREST, 8

4. Arrest, Escape and Retaking.

Arrest how made . . . . . Act5,1898,s.46.

„ when death may be caused in effecting . . . . „ s.46.

„ no unnecessary restraint to be used . . . . „ s.50.

„ search of places ; breaking open doors or windows . „ ss.47to49.

„ „ arrested person . . . . . „ ss.51,52.

„ seizure of offensive weapons . . . . . „ s.53.

Arrest without warrant :

By police, in what cases allowed . . . . . „ ss.54.55, 59,151.

„ on refusal to give name and residence . . . „ ss.57,59.

„ written order to be given to subordinate officer required to make arrest . . . . . „ s.56.

„ pursuit of offender into other jurisdictions . . „ s.58.

„ detention of persons arrested under extradition law or under Fugitive Offenders Act, 1881 . . Act15,1903,s.23.

By private person, in what cases allowed . . . . . Act5,1898,s.59. (Bo.Town)Bom.Act4, 1902,ss.83,84. (Cal.)Ben.Act4,1866, ss.74,75. (Cal.Sub.)Ben.Act2,1866, s.44. (Mad. City) Mad. Act3, 1888,s.35 (Ran.,Bur.Act4, 1899,ss.35,36.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

4. Arrest, Escape and Retaking—*contd.*

Arrest without warrant—*contd.*

By or by direction of Magistrate . . . . . Act5,1898,ss.64,65.
Arrested person how to be dealt with . . . . . „ ss.57,59to61.
Report of arrests to Magistrate . . . . . „ s.62.
Discharge of arrested person . . . . . „ s.63.

Arrest under warrant. *See below*, 5 (1).

Escape or rescue; power to pursue and re-arrest offender; ss. 47 to 49 to apply . . . . . „ ss.66,67.

Arrest, etc., in Bombay City . . . . . Bom.Act4,1902,ss.77to88.

5. Processes.

Processes to compel appearance:

(1) Summonses and Warrants of arrest:

Summons; form of . . . . . Act5,1898,s.68,Sch.V, Forms1,31.
„ service of . . . . . „ ss.68to74,
Warrant of arrest; form of . . . . . „ s.75,Sch.V, Form2.
„ „ continuance of . . . . . „ s.75.
„ „ release of offender on giving security . „ s.76,Sch.V, Form2.
„ „ to whom to be directed . . . . „ ss.77to79.
„ „ execution of; arrested person how to be dealt with . . . . . „ ss.80to86.
Power to issue warrant in lieu of, or in addition to, summons . . . . . „ s.90,Sch.V. Form7.
Foregoing provisions applicable to all summonses and warrants of arrest issued under Act . . . . . „
Power of Court to substitute order or letter for summons in certain cases . . . . . Bom.Reg.13,1827,s.34(*3*).
Bom. Reg. 13, 1827, s. 34 (*3*), declared in force throughout the Bombay Presidency, except as regards the Scheduled Districts . . . . . Act15,1874,s.5.
Fees to be paid for summonses and warrants issued by Presidency Magistrate, except in certain cases. . . Act4,1877,s.57.

(2) Proclamation for person absconding . . . . . Act5,1898,s.87,Sch.V, Forms4,5.

(3) Attachment of property of persons absconding; restoration of property . . . . . „ ss.88,89.

(4) Bond for appearance: power to require, when offender is present in Court; arrest on breach of bond . . . „ ss.91,92.

Processes to compel production of documents and other moveable property:

Summons or order to produce . . . . . „ s.94.
Letters and telegrams in custody of postal or telegraph authorities how to be obtained . . . . . „ s.95.
Search-warrant . . . . . „ ss.96,97,98, 101to103,Sch.V, Forms8,9.
Search-warrant: disposal of things found in search beyond jurisdiction . . . . . „ s.99.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

5. Processes—*contd.*

Search-warrant for discovery of person wrongfully confined	Act5,1898,ss.100to 103.
Power to impound document, etc., produced in Court	„ s.104
Power of Magistrate to direct search in his presence	„ s.105.
Application of provisions to processes of Insolvency Courts in Presidency-towns and Rangoon	Act3,1909,s.100.
„ „ to search-warrants under Act 1, 1910	Act 1,1910,ss.7(2),12(2).
Summons, warrant and search-warrant in Bombay City	Bom.Act4,1902,ss.89to 105.

6. Prevention of Offences.

(a) Security for keeping the peace and Security for Good Behaviour.

Security for keeping the peace on conviction :	
Power to order execution of bond	Act 5,1898,s.106,Sch.V, Form10.
Security for keeping the peace in other cases, and security for good behaviour : power to require ; procedure	„ ss.107to119. Sch.V,Forms11,12.
Application of ss. 110, *et seq.*, of Code to persons earning livelihood by carrying on game of *ti* in Burma	Bur.Act 1, 1899,s.17.
Proceedings in all cases subsequent to order to furnish security	Act5,1898,ss.120to126, Sch.V,Forms13to15.
Ch. VIII (ss. 106 to 126) of Code, modified—	
in North-West Frontier, Punjab and British Baluchistan Frontier Districts	Reg.3,1901,s.47[1].
on Sindh Frontier	Reg.3,1892,s.27.
Ss. 112 to 126 of Code applied to cases under s. 5 of Reg. 9, 1887 (Frontier Crossing and Disturbed Districts)	(Br.Bal.)Reg.9,1887,s.5.
Application of ss. 120 to 126, 514, 515 to security required from persons going armed, disguised, loitering, etc., in Rangoon town	Bur.Act4,1899,s.31A.

(b) Unlawful Assemblies.

Dispersion of	Act5,1898,ss.127to132. (Bo.City)Bom.Act4,1902, ss.40to43.
Public meeting prohibited under Act 10, 1911, deemed to be an unlawful assembly	Act10,1911,s.6(2).

See also Criminal Law (Indian), 6.

(c) Nuisances.

Powers and procedure for removal of public nuisances	Act5,1898,ss.133to143, Sch.V,Forms16to 20.
Power to issue temporary order absolute at once in urgent case of nuisance	„ s.144,Sch.V, Form21.

[1]Reg. 3, 1901, has been extended (with modification) to British Baluchistan by notification under Act 14, 1874.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

6. Prevention of Offences—*contd.*

(*d*) DISPUTES AS TO IMMOVEABLE PROPERTY.

Dispute likely to cause breach of the peace—	
concerning land, etc.: power to continue one party in possession or to attach property, pending decision of Civil Court	Act5,1898,ss.145,146. Sch.V,Forms22,23.
concerning easements, etc.; power to permit or prohibit action pending decision of Civil Court	,, s.147,Sch.V, Form24.
local enquiry	,, ss.145,147,148.
costs of proceedings	,, s.148.

(*e*) PREVENTIVE ACTION OF THE POLICE.

Police to prevent cognizable offences and may make arrest	,, ss.149to151.
,, may interpose to prevent injury to public property	,, s.152.
Police may inspect weights, measures and instruments for weighing, and seize false ones (*See also* WEIGHTS AND MEASURES)	Act5,1898,s.153.

(*f*) MISCELLANEOUS.

Powers of District Magistrate for prevention of offences when security cannot be furnished	Bom.Reg.12,1827,s.27(2).
Bom. Reg. 12, 1827, s. 27 (2), declared in force throughout the Bombay Presidency, except as regards the Scheduled Districts	Act15,1874,s.5,Sch.III.
Power of Magistrate to issue orders, etc., to prevent breach of the peace; enforcement of such orders; penalties	Bom.Act4,1890,ss.42to 44,50,54,68,71.
Power of Magistrate to disperse, etc., gangs; enforcement of orders; penalty	,, ss.46,50,55,70.
Magistrates charged with maintenance of the peace, and to apply for assistance of the military when necessary	Mad. Reg.11,1816,s.47.
Mad. Reg. 11, 1816, s. 47, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act15,1874,s.4.
Penalty for being armed or disguised with intent to commit offence, or for loitering, etc.; arrest without warrant	(Bo.Town)Bom.Act4, 1902,ss.36,112. (Br.Bal.,N-W.F.,Punj.) [1]Reg.3,1901,s.29,Reg.7, 1901,s.3. (Cal.)Ben.Act,4,1866,s.32 (rep.pt.Ben.Act3,1910, s.34). (Cal.Sub.)Ben.Act2,1866, s.16(rep.pt.Ben.Act3, 1910,s.34). (Howrah)Act21,1857. ss.1,3, (M.City)Mad.Act3,1888, s.64. (Ran.)Bur.Act4,1899,ss. 30,31A.
Power of Commissioner of Police to disperse, etc., gangs and direct removal of convicted beggars; enforcement of order; penalty	(Bo.City)Bom.Act4,1902. ss.27,127,128.
Duties and powers of local police as to prevention of offences:	
Chaukidars	Act20,1856,s.52. Ben.Act6,1870,s.39,Sch. B.

[1] Reg. 3. 1901, has been extended (with modification) to British Baluchistan by notification under Act 14, 1874.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

6. Prevention of Offences—*contd.*

(*f*) MISCELLANEOUS—*contd.*

Duties and powers of local police as to prevention of offences—*contd.*

Village-police	Ben. Act 5, 1887, s. 22, Sch. B.
Road patrols	„ s. 30, Sch. B.
Village and road police	(Agra) Act 16, 1873, s. 8.
Police daroghas	(Agra, Ben., E. B.) Ben. Reg. 20, 1817, s. 30 (*1*), (*2*), (*5*).
Rural police	(As.) Reg. 1, 1883, s. 18, Sch.
Police patels	Bom. Act 8, 1867, ss. 6, 8.
Ben. Reg. 20, 1817, ss. 20, 30 (*1*), (*2*), (*5*), declared in force throughout Bengal (except Sambalpur District) and Eastern Bengal, except as regards the Scheduled Districts	Act 15, 1874, s. 6, Sch. 4.

Prevention of offences in forests. *See* FOREST, 7.

See also CRIMINAL LAW (INDIAN), 6; POLICE.

7. Information to the Police, and Investigation thereon.

Information to be recorded, etc.	Act 5, 1898, ss. 154, 155.
Investigation by police into non-cognizable case to be held only on order of Magistrate; procedure	„ s. 155.
„ „ „ into case of rape by husband not to be made by police-officer of rank lower than Inspector	„ s. 561
„ „ „ into cognizable case may be held without order of Magistrate; procedure	Act 5, 1898, ss. 156 to 158.
Examination of witnesses, and record of statements and confessions by police	„ ss. 160 to 164.
Search by police	„ ss. 165, 166.
Diary of proceedings in police investigation	„ s. 172.
Speedy completion of police investigation; report to Magistrate	„ s. 173.
Report of investigation by subordinate police-officer	„ s. 168.
Release of accused when evidence deficient	„ s. 169, Sch. V, Form 25.
Accused when to be sent to Magistrate; bond of accused and witnesses for appearance before Magistrate	„ ss. 167, 170, Sch. V, Form 26.
Complainants and witnesses not to be required to accompany police-officer to Court, nor to be subjected to unnecessary restraint; proviso for cases of recusancy	„ s. 171.
Investigation by Magistrate into cognizable case	„ s. 159.
Violent deaths; investigation and report by police	„ s. 174.
„ „ examination of witnesses by police	„ s. 175.
„ „ and death of person in custody of police: enquiry by Magistrate; his power to disinter corpse	„ s. 176.
Investigation into excise offences	Ben. Act 5, 1909, ss. 73 to 75. Mad. Act 1, 1886, s. 40. U.P. Act 4, 1910, s. 49. E.B. and A. Act 1, 1910, ss. 42, 43.
Information to police and investigation in Bombay City	Bom. Act 4, 1902, ss. 57 to 76.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

8. Proceedings in Prosecutions.

(1) JURISDICTION OF COURTS IN INQUIRIES AND TRIALS.

Place for inquiry or trial	Act5,1898,ss.177to185.
" " " issue of summons or warrant for offence committed beyond local jurisdiction; procedure on arrest	" ss.186,187.
" " " of British subjects in British India for offences committed elsewhere	" ss.188to190. Act6,1898,s.57. Act2,1899,s.72.
Place for trial of European British subject	Act5,1898,s.336.
When holding of trial, etc., in wrong place invalidates the proceedings	" s.531.
Conditions requisite for initiation of proceedings:	
When cognizance of offence may be taken—	
by Magistrate	" s.190.
by Judges of Court of Session	" ss.191,193.
by High Court	" s.194.
Transfer of cases by Magistrate	" ss.191,192. Ben.Act5,1909,s.84.
Sanction or complaint of public servant, Court, Government, or party aggrieved, required before Court takes cognizance of certain offences	Act5,1898,ss.195to199.

(2) COMPLAINT TO MAGISTRATE.

Cognizance of rape by husband to be taken by Chief Presidency Magistrate or District Magistrate only	Act5,1898,s.561.
Examination of complainant	" s.200.
Procedure where Magistrate not competent to take cognizance of case	" s.201.
Postponement of issue of process	" s.202.
When process to issue	" s.204,Sch.II.
Power to dispense with personal attendance of accused	" s.205.
Dismissal of complaint	" s.203.

(3) INQUIRY INTO CASES TRIABLE BY COURT OF SESSION OR HIGH COURT.

Power to commit for trial	" s.206.
Procedure in inquiries preparatory to commitment; taking evidence; charge; list of witnesses	Act5,1898,ss.207,208,210 to212.
Discharge of accused	" s.209.
Order of commitment; commitment of person charged jointly with European British subject; quashing of order	" ss. 213 to 215.
Securing attendance of witnesses and complainant before Court to which accused committed	" ss.216,217,219.
Commitment to be notified, and charge, etc., forwarded	" s.218,Sch.V, Form27.
Custody of accused pending trial	" s.220,Sch.V, Form27.

See also below, 11 (*1*), (*6*).

CRIMINAL PROCEDURE (INDIAN)—*contd.*

8. Proceedings in Prosecutions—*contd.*

(4) THE CHARGE.

Form, contents, etc., of charge	Act5,1898,ss.221to226. Sch.V,Form28.
Alteration of charge	„ ss.226to231.
Effect of material error in charge	„ s.232.
Joinder of charges	„ ss.233to239. Act3,1909,s.104 (*4*).
Withdrawal of remaining charges on conviction on one of several charges	Act5,1898,s.240.

(5) TRIALS BY MAGISTRATES.

Summons cases ; procedure in trial of	Act5,1898,ss 241to249. Sch.V,Form29.
Warrant cases ; „ „	ss.251to259,Sch. V,Forms29,31.
Procedure for, to be followed in trial of offences under Act 3, 1909	Act3,1909,s.104.
Compensation for frivolous or vexatious accusations in summons and warrant cases	Act5, 1898,s.250.
Summary trials :	
By what Magistrates or Benches of Magistrates	„ ss.260,261.
For what offences	„ ss.260,261.
Procedure	Act5, 1898,ss.262(*1*),263.
Limit to imprisonment	„ s.262(*2*).
Record and judgment	„ ss.263to265.
Employment of clerk by Bench	„ s.265.

(6) TRIALS BEFORE HIGH COURTS AND COURTS OF SESSION.

Definition of "High Court"	Act5,1898,s.266.
Trials before High Court to be by jury (*see also below, 11 (6)*)	„ s.267.
„ „ Court of Session to be by jury or with assessors	„ ss 268,269.
„ „ „ „ „ to be conducted by Public Prosecutor	„ s.270.
High Court ; time and place for holding sittings	„ ss.334,335.
„ „ place of trial of European British subjects and persons charged jointly with them	„ s.336.
Commencement of trial	„ ss.271,272.
Same jury or assessors for several trials	„ s.272.
Entry on unsustainable charge before High Court	„ s.273.
Jury : number of jurors ; choosing of jurors ; special jury ; objections to jurors ; foreman ; swearing ; procedure when juror ceases to attend ; discharge on sickness of prisoner	„ ss.274to276, 277to283.
Assessors : choosing of ; procedure when juror unable to attend	„ ss.284,285.
List of jurors for High Court and summoning jurors for that Court	„ ss.312to318.
List of jurors and assessors for Court of Session, and summoning jurors and assessors for that Court	„ ss.319to332. Sch.V,Forms 32,33.
Jury and assessors for trial of European British subjects, etc. *See below*, 11 (*1*).	
Procedure for trial to close of cases for prosecution and defence	„ ss.286to296.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

8. Proceedings in Prosecutions—*contd.*

(6) TRIALS BEFORE HIGH COURTS AND COURTS OF SESSION—*contd.*

Power of Advocate General to stay prosecution in High Court	Act5,1898,s.333.
Power of Advocate General to exhibit informations to High Court	,, s.194(2).
Procedure on conclusion of trial—	
in case tried by jury	,, ss.297to307.
,, ,, with assessors	,, s.309.
Re-trial of accused after discharge of jury	,, s.308.
Procedure in case of previous conviction	,, ss.310,311.
See also below, 11 (*1*), (*6*).	
(7) EVIDENCE.	
Evidence ordinarily to be taken in presence of accused or his pleader	Act5,1898,s.353.
Record of evidence in High Courts; power of Court to make rules as to record of evidence	,, s.365.
In other Courts:	
Manner of recording evidence in different cases	,, ss.354to360, 362.
Record of remarks respecting demeanour of witness	,, s.363.
Examination of accused how to be recorded	,, s.364.
Interpretation of evidence to accused or his pleader	,, s.361.
Commissions for examination of witnesses	,, ss.503to508.
Deposition of medical witness	,, s.509.
Report of Chemical Examiner	,, s.510.
Previous conviction or acquittal how proved	,, s.511.
Record of evidence in absence of accused	,, s.512.
Courts and persons before whom affidavits may be sworn	,, s.539.
Power to summon material witness or examine person present	,, s.540.
,, of Presidency Magistrate to order prisoner in jail to be brought up for examination	,, s.542.
Interpreter bound to interpret truthfully	,, s.543.
Attendance and examination of witnesses in British India in certain criminal matters pending before certain foreign tribunals (*See* EVIDENCE, II, 6.)	
(8) JUDGMENT.	
Judgment; mode of delivering	,, s.366.
,, language of	,, s.367.
,, contents of	,, ss.367,368.
,, by Presidency Magistrate; contents of	,, s.370.
,, restrictions on alteration of	,, s.369.
Copy of judgment and of heads of charge when to be given to accused. Sessions Judge to inform person sentenced to death of period within which appeal should be preferred	,, s.371.
Translation of judgment	,, ss.371,372.
Court of Session to send copy of its finding and sentence to District Magistrate	,, s.373.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

8. Proceedings in Prosecutions—*concld.*

(9) MISCELLANEOUS PROVISIONS.

Tender of pardon to accomplice; no other influence to be used to induce disclosures	Act5,1898,ss.337to339, 343.
Section 337 of Act amended in British Baluchistan, North-West Frontier and Punjab Frontier Districts	[1]Reg.3,1901,s.7.
Right of accused to be defended	Act5,1898,s.340.
Procedure where accused does not understand proceedings	„ s.341.
Power to examine accused; no oath to be administered	„ s.342.
„ to postpone or adjourn proceedings and remand accused to custody	„ s.344.
Compounding offences	„ s.345.
Procedure where Magistrate finds he cannot dispose of case or should commit accused to higher Court or cannot pass sentence sufficiently severe	„ ss.346, 347,349.
Commitment of person previously convicted of offence punishable under Chapter XII (Coin and Stamps) or Chapter XVII (Offences against Property) of Indian Penal Code	„ s.348.
Conviction or commitment on evidence recorded partly by one Magistrate and partly by another	„ s.350.
Detention of offenders attending Court	„ s.351.
Courts to be open	„ s.352.
Person once convicted or acquitted not to be tried for same offence	„ s.403.

9. Sentences.

(1) POWERS OF COURTS.

Sentences which may be passed by Courts of various classes—	
generally	Act5,1898,ss.31to
on European British subjects	„ ss.446,449.
Power of Court as to sentence in case of certain first offenders	„ ss.562to564.

(2) SUBMISSION FOR CONFIRMATION.

Court of Session's sentence of death; submission of, to High Court; powers and procedure of High Court	„ ss.31,374to379, Sch.V,Form34.
Certain sentences passed by Assistant Sessions Judge or by specially empowered District Magistrate to be submitted to Sessions Judge for confirmation; powers and procedure of Sessions Judge	„ ss.31,34, 380.

(3) EXECUTION.

Execution of order passed by High Court on reference from Court of Session	„ s.381,Sch.V, Forms35,36.
Postponement and commutation of capital sentence on pregnant woman	„ s.382,Sch.V, Form36.
Execution of sentence of transportation	„ ss.381,383.
„ „ imprisonment	„ ss.381,383,384.
Warrant	„ ss.384,385, 389,400.

[1] Reg. 3, 1901, has been extended with modifications to British Baluchistan under Act 14, 1874.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

9. Sentences—*contd.*

(3) EXECUTION—*contd.*

Warrant for levy of fine	Act5,1898,ss.386to389,Sch. V,Form37.
„ „ „ provisions of Code, as to, applied to fines imposed under any Act, Regulation, rule or bye-law	Act10,1897,s.25.
Suspension of imprisonment for fine on execution of bond	Act5,1898,s.388.
Execution of sentence of whipping	„ ss.390to395.
„ „ „ on escaped convicts and on offenders already sentenced for another offence	„ ss.396to398.
Confinement of youthful offenders in reformatories. (*See also* YOUTHFUL OFFENDER)	„ s.399.
Return of warrant on execution of sentence	„ s.400.

(4) SUSPENSIONS, REMISSIONS AND COMMUTATIONS.

Power of Government to suspend or remit sentences, and cancel suspension or remission; saving of right of Her Majesty to grant pardons, etc.	Act5,1898,s.401.
Power of Court to suspend execution of sentence—	
pending appeal	„ s.426.
„ report to High Court	„ s.438.
Power of Government to commute sentences	„ s.402.
„ High Court to commute sentence of death passed on pregnant woman	„ s.382,Sch. V,Form36.

10. Appeal, Reference and Revision.

Appeal: none, unless expressly provided by law	„ s.404.
„ „ when accused convicted by Court of Session or Presidency Magistrate on plea of guilty; exception	„ s.412.
„ „ in certain petty cases; exception	„ ss.413to416.
„ from order or sentence of Magistrate or Sessions Judge when and to whom to lie	„ ss.405to411.
„ by Government against acquittal; arrest of accused; abatement of appeal on death of accused	Act5,1898,ss.417,427,431.
„ against order for payment of compensation for frivolous or vexatious accusation	„ s.250(3).
„ on what matters admissible	„ ss.412,418.
„ procedure for preferring	„ ss.419,420.
„ summary rejection of, or notice of hearing of	ss.421,422.
„ powers and procedure of Appellate Court	ss.423to429.
„ finality of orders passed on; exceptions	„ s.430.
„ abatement of, on death	„ s.431.
Reference and revision:	
Reference by Presidency Magistrate or Judge of High Court to High Court	„ ss.432to434.
Power to call for records of inferior Courts	„ ss.435,441.
„ order commitment	„ s.436.
„ „ enquiry	„ s.437.
„ report to High Court	„ s.438.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

10. Appeal, Reference and Revision—*contd.*

Reference and revision—*contd.*

High Court's powers of revision . . . . . Act 5, 1898, s. 439.
Optional with Court to hear parties . . . . . „ s. 440.
High Court's order to be certified to lower Court . . . „ s. 442.
See also below, **11** (*3*), **12** (*2*).

11. Special Proceedings.

(*1*) Proceedings against European British Subjects, Europeans and Americans.

What Magistrates and Judges of Courts of Session may enquire into and try charges against European British subjects . „ ss. 443 to 445.
Sentences which may be passed on European British subjects—
by Provincial Magistrates . . . . . „ s. 446.
by Courts of Session . . . . . „ s. 449.
European British subject when to be committed to High Court and when to Court of Session . . . . . „ ss. 447, 448.
Transfer of case by Sessions Court to High Court . . . „ s. 449(*2*).
Proportion of jurors or assessors to be Europeans or Americans in case of trial of —
European British subject . . . . . „ s. 450.
other European, or American . . . . . „ s. 460.
Right of European British subject to claim jury before District Magistrate . . . . . „ s. 451.
Summoning and empanelling of jurors . . . . . „ s. 462.
Procedure where European British subject charged jointly with native . . . . . „ ss. 336, 461.
Procedure where other European, or American, charged jointly with native . . . . . „ s. 461.
Procedure on claim to be dealt with as an European British subject; failure to plead status a waiver . . . . . „ ss. 453, 454.
Trial, etc., as European British subject, not invalid, if accused has not that status and does not object . . . . „ s. 455.
Right of European British subject unlawfully detained to apply for order to be brought before High Court . . . . „ ss. 456 to 458.
Enactments conferring jurisdiction on Magistrates or Courts of Session to be deemed to apply to European British subjects . „ s. 459.
Proceedings to be conducted according to provisions of Code . „ s. 463.

(*2*) Lunatics.

Postponement of trial when accused is lunatic; power to release him or confine him in asylum; resumption of inquiry or trial „ ss. 464 to 468, 473.
Procedure where accused is sane, but appears to have been insane when act for which he is charged was done . . . . „ s. 469.
Judgment of acquittal on ground of lunacy; accused when to be kept in custody . . . . . „ ss. 470, 471.
Visiting of lunatic in confinement . . . . . „ s. 472.
Discharge of lunatic from custody; delivery to care of relative . „ ss. 474, 475.
Removal of lunatic from one place of confinement to another . „ ss. 471(*3*), 474.
Power of Local Government to relieve Inspector-General of Prisons of his functions under ss. 472 to 474. . . . . „ s. 471(*4*).

CRIMINAL PROCEDURE (INDIAN)—*contd.*

11. Special Proceedings—*contd.*

(3) PROCEEDINGS IN CASE OF CERTAIN OFFENCES AFFECTING THE ADMINISTRATION OF JUSTICE.

Contempts, offences against public justice, and offences relating to documents given in evidence :

Procedure of Civil, Criminal and Revenue Courts in case of	Act5,1898,ss.476to482, Sch.V,Form38.
When Registrar or Sub-Registrar of Documents deemed a Civil Court under ss. 480, 482	,, s.483.
Certain Judges and Magistrates not to try offences committed before themselves	,, s.487.
Discharge of offender on submission or apology	,, s.484.
Imprisonment or committal of person refusing to answer or produce document in Criminal Court	,, s.485,Sch.V, Form39.
Appeal from conviction	,, s. 486.

(4) MAINTENANCE OF WIVES AND CHILDREN.

Power to make and enforce order for	,, ss.488,490, Sch.V,Forms 40,41.
,, alter allowance	,, s.489.
Liability under order not discharged by insolvency	Act3,1909,s.45(*1*)(*d*).

(5) DIRECTIONS IN THE NATURE OF A HABEAS CORPUS.

See HABEAS CORPUS.

(6) PROCEEDINGS FOR THE SPEEDY TRIAL OF CERTAIN OFFENCES.

Offences triable under Part I, Act 14, 1908	Act14,1908,s.2,Sch.
Power to order trial under Part I of Act	,, s.2.
Inquiry by Magistrate: discharge by Magistrate; framing of charge and committal to High Court	,, ss.3 to 7.
Charge, record, etc., to be forwarded to High Court	,, s.8.
Examination of supplementary witnesses: list of witnesses for defence	,, ss.9,10.
Trial before High Court to be before special bench and without a jury; decision to be in accordance with opinion of majority	,, s.11.
Procedure : application of Act 5, 1898	,, s.14.
Special rules of evidence	,, s.13.
Bail when not allowed	,, s.12.

12. Supplementary Provisions.

(1) PUBLIC PROSECUTOR.

Power to appoint	Act 5,1898, s.492.
Trials before Court of Session to be conducted by	,, s.270.
Right of, to plead; pleaders privately instructed to be under his direction	,, s.493.
Effect of withdrawal of, from prosecution	,, s.494.
Power of Magistrate to permit other person to conduct prosecution	,, s.495.
Right of Advocate General, Standing Counsel, Government Solicitor, Public Prosecutor, etc., to conduct prosecution without Magistrate's permission	

CRIMINAL PROCEDURE (INDIAN)—*contd.*

12. Supplementary Provisions—*contd.*

(2) BAILS AND BONDS.

Bail when to be taken	Act 5,188,	ss. 496,497, 500,Sch.V,Form 42.
,, amount of, not to be excessive	,,	s.498.
,, power of High Court or Court of Session to direct admission to bail or reduction of bail	,,	s.498.
,, bond of accused and sureties ; discharge from custody	,,	ss.499,500,Sch. V,Forms42,43.
,, power to increase amount	,,	s.501.
,, discharge of sureties	,,	s.502.
Power to accept deposit instead of recognizance	,,	s.513.
Procedure on forfeiture of bond	,,	s.514,Sch.V, Forms44to53.
Section 514 of Code applied to cases under s. 5 of Reg. 9, 1887 (Frontier Crossing and Disturbed Districts)		Reg.9,1887,s.5.
Appeal from, and revision of, orders under s. 514		Act5,1898,s.515.
Power of High Court or Court of Session to direct levy of amount due on bond to appear before it	,,	s.516.
Bail in Bombay City		Bom.Act4,1902,ss.106to 110.

(3) DISPOSAL OF PROPERTY.

Power to make order for disposal of property the subject of an offence		Act5,1898,ss.517,518.
Payment to innocent purchaser of money found on accused	,,	s.519.
Stay and revision of order under ss. 517 to 519	,,	s.520.
Destruction of libellous and other matter	,,	s.521.
Power to restore possession of immoveable property	,,	s.522.
Restoration of seized or stolen property to owner ; sale, when owner unknown	,,	ss.523to525.

(4) TRANSFER OF CASES.

Power of High Court to transfer case, or itself try it ; postponement of trial by inferior Court to admit of application for transfer being made	,,	s.526.
,, Governor General in Council to transfer cases	,,	s.527.
,, Chief Presidency Magistrate, District or Sub-Divisional Magistrate to withdraw or refer cases	,,	s.528.
,, certain Magistrates to transfer cases	,,	ss.192,407 451(9),476.
Sessions Judge when to transfer case against European British subject to High Court	,,	s. 449(2).

(5) IRREGULAR PROCEEDINGS.

Irregularities which do not invalidate proceedings	,,	s.529.
,, which vitiate proceedings	,,	s.530.
When holding of trial, etc., in wrong place invalidates the proceedings	,,	s.531.
Validation of irregular commitments	,,	s.532.

CRIMINAL PROCEDURE (INDIAN, —*contd.*

12. Supplementary Provision—*contd.*

(5) Irregular Proceedings—*contd.*

Statements and confessions of accused persons; irregularity in record of, under s. 164 or s. 364	Act5,1898,s. 533.
Omission to ask whether accused is an European British subject	,, s.534.
,, to prepare charge	,, s.535.
Trial by jury of offence triable by assessors, and *vice versâ*	,, s.536.
Finding, sentence or order when reversible by reason of error or omission in charge or other proceedings	,, s.537.
Distress not illegal nor distrainer a trespasser for defect or want of form in proceedings	,, s.538.

(6) Miscellaneous.

Power to appoint place of imprisonment or custody	,, s.541(*1*).
Removal from civil to criminal jail, and return to civil jail	,, s.541(*2*),(*3*).
Payment of expenses of complainants and witnesses	,, s.544.
Compensation to persons groundlessly given in charge in Presidency-town	,, s.553.
,, for frivolous or vexatious accusation; appeal from order	,, s.250.
Payment of expenses or compensation out of fine	,, ss.545,546. (U.B.)Reg.12,1887, s.9(*5*).
Moneys ordered under Act to be paid recoverable as fines	Act5,1898,ss.547,553, 250.
Copies of proceedings to be furnished on application	,, s.548.
Delivery to military authorities of persons liable to be tried by court-martial	,, s.549.
Powers of police to seize property suspected to be stolen	,, ss.550,551.
Power to compel restoration of abducted female	,, s.552.
Power of Chartered High Courts to make rules as to subordinate Courts Power of other High Courts to make rules	,, s.554.
Forms	,, s.555,Sch.V.
Restriction on trial by Judge or Magistrate of case in which he is personally interested	,, s.556;Act2,1902, s.44.
Practising pleader, etc., not to sit as Magistrate in certain Courts	,, s.557.
Power to decide language of Courts	,, s.558.
Powers of Government exerciseable from time to time	,, s. 559.
Officers concerned in sales not to purchase or bid for property	,, s. 560.
Provisions as to first offenders	,, ss.562to564.
Power of certain Courts to make order for the notifying of his address by convicted offender	,, s.565.

13. Special and Local.

Act 5, 1898 (the Code of Criminal Procedure, 1898), declared in force—

in Upper Burma, except the Shan States (with modifications)	Act13,1898,s.4,Sch.I. Reg.5,1892.
in the Santhál Parganas (with modifications)	Reg.3,1872,s.3,Sch. Reg.5,1893,s.4.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

13. Special and Local—*contd.*

Regulation 5, 1892 (Criminal Justice, Upper Burma), declared (except ss. 1, 2, 6, 7, 9, 10, 16 and 17 of the schedule) to be in force in—

Kachin Hill-tracts, as regards hill-tribes	Reg.1,1895,s.3.
certain tracts in the Chin Hills	Reg.5,1896,s.3.
Regulation 5, 1895 (Criminal Justice, Upper Burma), declared in force in certain tracts in the Chin Hills	,, s.3.
Act 5, 1898, repealed in Sindh Frontier, so far as Regulation 5, 1872, is inconsistent with the Act.	Reg.5,1872,s.11(saved, Act5,1898,s.3).
modified generally in—	
Andamans	Reg.3,1876,s.13.
North-West Frontier, Punjab and British Baluchistan frontier districts	[1] Reg.3,1901.
Ajmere:	
Chief Commissioner to discharge functions of High Court, except in proceedings against European British subjects	Reg.1,1877,s.38.
Power to appoint one Magistrate for several districts	,, s.39.
Power of Commissioner to transfer criminal cases or appeals	,, s.41.
Bombay City:	
Special provisions as to information to and investigation by police; arrest, summons, warrant, search-warrant, bail	Bom.Act4,1902,ss.57to 110.
British Baluchistan:	
Modifications of the Code	[2]Reg.8,1896, s. 3.
Central Provinces:	
Court of Judicial Commissioner to be highest Court of Criminal Appeal and revision, except in proceedings against European British subjects	Act2,1904,s.3(sub.Act 11,1910,s.2).
Lower Burma:	
Chief Court to be highest Court of Criminal Appeal or Revision	Act6,1900,s.8.
Certain Magistrates to commit to Chief Court	,, s.13.
Appeals from certain Magistrates to lie to Chief Court	Act6,1900,s.13(*2*).
Upper Burma:	
Chief Court of Lower Burma to be "High Court" in reference to proceedings against European British subjects and persons jointly charged with them	Act6,1900,s.8(*1*)(*a*).
Judicial Commissioner to be "High Court" in other cases	Act13,1898,s.4,Sch.1. Reg.5,1892,s.2(*1*), Sch.
Modifications of Act 5, 1898, in	Act13,1898,s.4,Sch.1. Reg.5,1892.
,, not to affect the Code in its application to European British subjects	Reg.5,1892,Sch.cl.XVII.
Coorg:	
Judicial Commissioner to have powers of High Court, except in proceedings against European British subjects	Reg.1,1901,s.16.
North-Western Frontier Province:	
Judicial Commissioner to be highest Court of Criminal Appeal or Revision except in proceedings against European British subjects, etc.	Reg.7,1901,s.42.

[1] Reg. 3, 1901, has been extended with modifications to British Baluchistan by notification under Act 14, 1874.
[2] *See* Notification, Gazette of India, Part II, p. 721.

CRIMINAL PROCEDURE (INDIAN)—*contd.*

13. Special and Local—*contd.*

North-Western Frontier Province—*contd.*

References to High Court or Chief Court of the Punjab in enactments in force is to be construed to refer to Judicial Commissioner except in proceedings against European British subjects or . . . . . Reg.7,1901,s.6(*1*)(*c*).

For local laws see also ADEN, 2; AJMERE, 3; ANGUL, 4; BURMA, (3); CHIEF COURT, LOWER BURMA; CHIEF COURT, PUNJAB; CHIN HILLS, 3, 4; CHITTAGONG HILL TRACTS; CHOTA NAGPUR; DISTURBED DISTRICT; EASTERN DVÁRS; FRONTIER; GANJAM AND VIZAGAPATAM; KACHIN HILLS; NORTH-WEST FRONTIER PROVINCE, 4; OUDH, 3; PUNJAB, 4; SANTHAL PARGANAS; SCHEDULED DISTRICTS; SINDH; SPITI; UPPER TANAWAL.

For special laws, see EXCISE; FISHERY; FOREST, 7; INDIAN, MILITARY AND NAVAL FORCES, III, 3; MURDEROUS OUTRAGES (2); POLICE, III, B; PRECIOUS STONES; ROYAL INDIAN MARINE, 3; *and other heads.*

CRIMINAL TRESPASS. *See* CRIMINAL LAW (INDIAN), 15.

CRIMINAL TRIBES.

1. Preliminary.

Act 3, 1911, extends to whole of British India . . . . Act3,1911,s.1.
Action in Sindh validated . . . . . Bom.Act1,1909.
Definition of "criminal tribe" "tribe," "gang" and "class" Act3,1911,s.2.

2. Criminal Tribes.

Power of Local Government to declare tribe, gang or class to be a criminal tribe . . . . . „ s.3.
Courts not to question such declaration . . . . . „ s.28.
Registration of members of . . . . . „ ss.4to10.
Power to restrict movements of or settle criminal tribe to or in place prescribed; Courts not to question certain notifications under ss. 12, 13 . . . . . „ ss.11to 15,28.
Settlements; power to place tribe in . . . . . „ s.16.
Industrial, agricultural or reformatory schools for children; establishment of, and placing of children in . . . . „ s.17.
Power to discharge or remove person from settlement or school . „ s.18.
Power to direct use of any settlement or school in British India. „ s.19.
Power of Local Government to make rules for working of Act . „ ss.20,21.
Penalties . . . . . „ s.22.
Enhanced punishment for certain offences by members of tribe after previous conviction . . . . . „ s.23,Sch.
Punishment of registered members of tribe found under suspicious circumstances . . . . . „ s.24.
Arrest and removal of registered persons found beyond prescribed limits of residence . . . . . „ s.25.
Duty of village-headmen, village-watchmen, and owners and occupiers of land and their agents to make reports of certain matters, under penalty . . . . . „ ss.26,27.

CROWN.

1700-1. 12-3 W. 3, c. 2 (Succession ; Limitation of Powers).
1876. 39-40 V. c. 10 (Style).
1896. 59-60 V. c. 2, preamble (Army).
1901. 1 Edw. 7, c. 15 (Royal Titles).
1910. 10 Edw. 7 & 1 Geo. 5, c. 26. (Regency).
1910. 10 Edw. 7 & 1 Geo. 5, c. 29 (Coronation Declaration).

1. Succession.
2. Style, Prerogatives, Powers and Property.
3. Demise.

1. Succession.

Limitation of succession to Crown Sovereign's children inheritable, wherever born Roman Catholics, and persons marrying Roman Catholics, disqualified	12-3W.3,c.2.
Coronation : oath and declaration to be taken and made on	12-3W.3,c.2,s.2. 10Edw.7&1Geo.5,c.29.
Provision for regency in case of Crown descending to any issue of His Majesty while such issue shall be under the age of eighteen years	,, ,, c.26.

2. Style, Prerogatives, Powers and Property.

(a) Style and Title.

Power to add to, in recognition of transfer of Government of India	39-40V.c.10.
Royal titles	1Edw.7,c.15.

(b) Limitation of Powers.

Declaration of limits of power of Crown Justice not to be sold, denied, delayed or deferred Loans to Crown ; illegality of, without consent of Parliament	12-3W.3,c.2.
Benevolence : none to be levied without consent of Parliament Standing army ; illegality of, in realm, during peace, without consent of Parliament	59-60V.c.2,preamble.

(c) Property.

See Crown Lands.

3. Demise.

Continuance of offices on	1Edw.7,c.5.
CROWN GRANTS ACT, 1895 (*See* Crown Lands, etc. ; Transfer of Property)	Act15,1895.

CROWN LANDS AND LAND-REVENUES.

Grants by Crown of land or interest therein to take effect according to their tenor, notwithstanding other laws	Act15,1895.
Restriction to application of Act 15, 1895, to sanad to Oudh Taluqdars	Act1,1869,s.3,expln.(add. U.P.Act3,1910,s.3).

CRUELTY TO ANIMALS.

1. Generally.

Act 11, 1890, declared in force in—	
Santhal Parganas	Reg.3.1872,s.3,Sch.
Upper Burma except Shan States.	Act13,1898,s.4,Sch.I.
Act 11, 1890,applies only to notified areas	Act11,1890,s.1(2).

CRUELTY TO ANIMALS—*contd.*

1. Generally—*contd.*

Power, when extending Act 11, 1890, to local area, to declare that other enactments relating to cruelty to animals shall cease to be in force therein	Act 11, 1890, s. 1(*3*).
Definition of "animal" and "street"	,, s.2.
Penalty for various acts of cruelty in street or in place to which public have access, etc.	,, s.3.
,, ,, practising *phuka*	,, s.4.
,, ,, killing animal with unnecessary cruelty	,, s.5.
,, ,, employing animal unfit for labour	,, s.6(*1*).
,, ,, permitting diseased animal to go at large or disabled animal to die in street	,, s.7.
Infirmary for animals:	
Appointment of	Act 11, 1890, s.6(*2*).
Sending of animals to, at expense of owner	,, s.6(*3*) to (*6*).
Powers of search	,, s.8.
Limitation of prosecutions	,, ss.9, 12.
Power to destroy suffering animals	,, ss.10, 12.
Act not to affect killing in accordance with religious rites and usages	,, ss.11, 12.
Penalty for cruelty—	
under General Police Act	Act 5, 1861, s.34(*2*).
under Stage Carriages Act	Act 16, 1861, s.9.
Penalty for mischief by killing, maiming, etc., animal	Act 45, 1860, ss.428, 429.
Power to make rules for prevention of cruelty in cantonments	Act 15, 1910, s.24(*24*).
Setting animals to fight. *See* GAMING, 3.	

2. Bengal (except Sambalpur District) and Eastern Bengal and Assam.

Ben. Acts 1 and 3, 1869, extend to town and suburbs of Calcutta	Ben. Act 1, 1869, s.9. Ben. Act 3, 1869, s.2.
Ben. Acts 1 and 3, 1869, may be extended by notification to any city, etc.	Ben. Act 1, 1869, s.10. Ben. Act 3, 1869, s.3.
Definition of "animal"	Ben. Act 1, 1869, s.1.
Penalty for various acts of cruelty	,, s.2.
,, inciting animal to fight, etc.	,, s.3.
,, permitting diseased animal to go at large or die in public place	,, s.4.
,, employing animal unfit for labour	,, s.5.
,, practising *phuka*	(Ben. E.B.) Ben. Act 1, 1869, s.5A.
Infirmary for animals:	
Appointment of	,, ,, s.5B(*1*).
Sending of animals to, at expense of owner	,, ,, s.5B(*2*) to (*5*).
Limitation of prosecutions	,, ,, s.5C.
Power of police to arrest without warrant for offence against Ben. Act 1, 1869	Ben. Act 3, 1869, s.1.
Summary trial of offences by Presidency Magistrate	,, s.6.
Application of Code of Criminal Procedure to trials	,, s.7.
Setting animals to fight (E.B.) *See* GAMING, 3.	

CRUELTY TO ANIMALS—*concld.*

3. Madras City.

Penalty for cruelty	Mad.Act3,1888,s.53.
Infirmary for animals :	
Establishment of, and nomination of staff	,, s.54
Sending of animals to, at expense of owner	,, s.55.
Discharge of animals and recovery of expenses and costs of enquiries	,, ss.56to59
Power to destroy suffering animals	,, s.55

4. Other places.

Penalty for cruelty	Bom.Act4,1890,s.62. (Bom.villages)Bom.Act8, 1867,s.16(*1*) (Howrah)Act21,1857, s.23(*v*). (CertainMad.Towns)Mad. Act3,1889,ss 5,8.
Power of police to arrest offenders	(Bom.City)Bom.Act4, 1902,s.23(*i*).

CULPABLE HOMICIDE defined. *See* WORDS AND PHRASES.

CULTIVATION. *See* FOREST, 6; INDIGO; OPIUM; SHIFTING CULTIVATION.

CURATORS.

In case of succession. *See* ADMINISTRATION (INDIAN LAW), 4.

CURRENCY NOTES. [*See* CRIMINAL LAW (Ind.) 18; PAPER CURRENCY.]

CURRENCY NOTES FORGERY ACT, 1899	Act12,1899.
CURRENCY CONVERSION (ARMY) ACT, 1899 (*See* ARMY)	Act19,1899.
CUSTOMS CONSOLIDATION ACT, 1853 (*See* COASTING TRADE; GOVERNMENT OF INDIA; MERCHANT SHIPPING)	16-17V.c.107.
CUSTOMS CONSOLIDATION ACT, 1876 [*See* COPYRIGHT; CUSTOMS (ENGLISH LAW); MERCHANDISE MARKS]	39-40V.c.36.

CUSTOMS (ENGLISH LAW).

Operation of Customs Acts in British possessions abroad	39-40V.c.36,ss.151, 161.
Governors, Lieutenant-Governors, etc., of British possessions to exercise powers of Commissioners of Customs	,, s.149.
Customs-officers : collusive seizure, bribery, etc., by	,, s.217.

CUSTOMS. *See also* SALT; TEA CESS.

Duty may be taken *pro rata*. *See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES.

Duties to be collected by Collector	Mad.Reg.2,1803,ss.2,32.
Power to impose duty on opium imported by land or exported by land or sea	Act1,1878,ss.5,6
Effect of alteration of tariff on contract	Act8,1894,s.10. Act2,1896,s.35.
Additional import-duty on bounty-fed articles	Act8,1894,s.8A.
Special import-duty on sugar in certain cases	,, s.8B.
Prohibition and restrictions on importation or exportation by land or sea :	
Certain goods not to be imported	Act8,1878,ss.18, 167(*8*).

CUSTOMS—*contd.*

Prohibition and restrictions on importation or exportation by land or sea—*contd.*

Power to prohibit or restrict importation or exportation of specified articles . . . . . Act8,1878,ss.19,167(8).

Detention and confiscation of goods whose importation is prohibited . . . . . Act8,1878,s.19A.

Search for and interception of prohibited goods in post office Act6,1898,s.25.

Detention and disposal of packages suspected to contain newspapers, etc., containing offending matter . . . . . Act1,1910,s.13.

Power to regulate, restrict or prohibit importation of infected animals, etc. . . . . Act9,1898.

Application of customs law for punishment of offences and reward of informers to punishments and rewards in connection with town duties imposed by the City of Bombay Municipal Act, 1888 . . . . . Bom.Act3,1888,s.478.

Recovery by Post Office, from addressees, of customs-dues paid by it . . . . . Act6,1898,s.13.

Prohibition of levy of, by private individuals. *See* TAXES.

CUSTOMS (INLAND).

General Sea Customs Tariff applied to—

imports and exports of goods from and to foreign territory . Act8,1894,s.5.

imports of cotton goods from foreign territory . . . Act2,1896,s.37.

Duty on spirituous or fermented liquor imported, exported or transported . . . . . Bom.Act5,1878,ss.19,26. Mad.Act1,1886,ss.17,18.

Duty on imports of spirituous or fermented liquor manufactured in foreign India or brought by land from beyond India . . Act12,1896,ss.31,32.

Duty on imports of spirituous or fermented liquor manufactured in foreign India or in a part of British India in which no excise-duty levied . . . . . Ben.Act5,1909,s.27. E.B.A.Act1,1910,s.21. U.P.Act4,1910,s.28.

Duty on intoxicating drugs (other than opium) imported, exported or transported . . . . . Act12,1896,ss.13,19. Bom.Act5,1878,s.27. Mad.Act1,1886,ss.17,18.

Duty on exported Indian tea . . . . . Act9,1903,s.3.

Duty on timber or other forest-produce. *See* FOREST, 5.

Establishment of stations on British frontier for searching for arms, ammunition and military stores . . . . . Act11,1878,s.11.

Power to prohibit or restrict importation of cotton goods from foreign territory; detention and confiscation of goods whose importation is prohibited . . . . . Act2,1896,s.37.

Drawback on export of cotton goods . . . . . Act2,1896,s.38.

See also CUSTOMS; SALT.

Madras and Bombay Presidencies:

Act 6, 1844, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . Act15,1874,s.4.

Appointment of Customs-stations for levy of duties on imports from and exports to foreign territories . . Act6,1844,s.8. Act29,1857,s.4.

" Customs-officers . . . . . Act6,1844,ss.9,10. Act29,1857,s.5.

" routes . . . . . Act6,1844,s.12. Act29,1857,s.6.

Collection of duty; ascertainment of value; seizure; confiscation . . . . . Act6,1844,ss.8to13. Act29,1857,ss.6to12,14,15.

CUSTOMS (INLAND)—*contd.*

Madras and Bombay Presidencies—*contd.*

Exemptions from duty	(Bom.)Act29,1857,s.13.
Offences and penalties	Act6,1844,ss.14,15. Act29,1857,ss.16to19.
Adjudication of confiscations; restoration of goods confiscated or seized; damages for vexatious seizures; fine in lieu of confiscation; rewards to Customs-officers	(Bom.)Act29,1857,ss.20to 22.
Acts 6, 1844, and 29, 1857, applied to collection of duties imposed by Indian Tariff Act, 1894, s. 5 (*b*)	Act8,1894,s.8.

CUSTOMS (SEA).

1864. Ben. Act 7, s. 15 (Salt).
1878. Act 8 (Sea Customs).
,, Act 11, ss.7, 10 (Arms, Ammunition and Military Stores).
1879. Act 9, s. 11 (Coast Lights).
,, Bom. Act 6, ss. 67, 70 (Bombay Port Trust).
1882. Bombay Act 7, s. (Landing and Wharfage Fees).
1886. Bom. Act 6, ss. 38, 39, 53 (Karachi Port Trust).
1887. Act 10, s. 29 (Native Passenger Ships).
,, Ben. Act 4, ss. 25, 29, 41 (Chittagong Port Commissioners).
1888. Act 2 (Petroleum).
1888. Bom. Act 5, ss. 35, 36, 50 (Aden Port Trust).
1890. Act 13, s. 9 (Excise).
,, Ben. Act 3, ss. 87, 88, 122, 122A, 122C (Calcutta Port).
1894. Act 8 (Tariff).
1895. Act 14, s. 31 (Native Pilgrimships.)
1896. Act 2 (Cotton Duties).
,, Act 8 (Bonded Warehouses).
1904. Act 9, s. 8 (Coast Lights).
1905. Bur. Act 4, ss. 76, 77, 91 (Rangoon Port).
,, Mad. Act 2, ss. 61, 100 (Madras Port).
1908. Act 15, ss. 2, 43 (Ports).
1909. Ben. Act 5, s. 6 (Excise).
1910. E. B. A. Act 1, s. 7 (Excise).
,, U. P. Act 4, s. 8 (Excise).

1. Tariff. 2. Management.

1. Tariff.

Duties on articles imported and exported:

General tariff at British Indian ports except Aden and Perim	Act8,1878,s.20. Act8,1894,s.3,Schs.IItoV (Sch.IIIsub.andSch.IVam. Act8,1910).
Duty on pepper exported from Cochin; net duty to be paid to Governments of Travancore and Cochin	Act8,1894,s.4.
Coasting-trade; duty leviable on—	
salt and opium imported	Act8,1878,s.20(*b*). Act8,1894.ss.2(*4*),7.
spirit imported	Act8,1894,ss.2(*4*),7
salted fish imported	Act8,1878,s.20(*b*)[*qu.*rep. Act8,1894,s.2(*4*)].
goods brought in bond	Act8,1878,s.20(*a*).
Power to fix and alter tariff values	,, s.22.
Alteration of duty or tariff valuation when to have effect	,, ss.37,38. Act2,1888,s.2

See also CUSTOMS.

2. Management.

(*a*) DUTIES, DRAWBACKS, ACCOUNTS AND EXPENSES.

Duty how levied on goods partially composed of dutiable articles	Act8,1878,s.21.
,, leviable on re-imported articles of country produce	,, s.25.

CUSTOMS (SEA)—*contd.*

2. Management—*contd.*

(a) Duties, Drawbacks, Accounts and Expenses—*contd.*

Duty leviable on goods derelict, jetsam, flotsam or wreck	Act8,1878,s.27.
Ascertainment of value of goods	,, ss.29to31.
Under-valuation of goods by owner	,, s.32.
Abatement of duty on damaged goods	,, ss.33to35.
Alteration of bill of entry or shipping bill	,, s.36.
Payment of duties or charges short levied, or erroneously refunded	,, s.39.
Refund of duties or charges erroneously paid	,, s.40.
Weighment or measurement before levy of duty	,, s.80.
Duties when to be assessed	,, s.87.
,, when payable	,,ss.89,100,110, 118,119,137.
,, sale of goods for	,,ss.88,119,193.
,, bond for	,, s.92.
,, transhipment without payment of	,, ss.128to135, 141.
,, refund of export-duty on re-landing	,, ss.140to142.
,, cargo landed during repairs may be re-shipped free of	,, s.143.
See also below, (c) (Warehousing).	
,, exemptions from—	
general and special powers of exemption	,, s.23.
goods belonging to Government	,, s.20.
baggage in actual use	,, s.24.
certain re-imported articles of country produce	,, s.25.
provisions and stores for use on foreign-going ship	,, ss.28,112.
Drawback when and to what extent allowed—	
on re-exports generally	,, ss.42,43,49to-52,167(*10*),(*12*).
on wines, spirits and provisions shipped for officers of Navy, Indian Marine or Indian Marine Survey	,, ss.44to48, 167(*11*).
drawback of excise-duty paid on country spirit	,, ss.150,153.
,, ,, ,, ,, fermented liquor	Act13,1890,s.9.
Refund of drawback on re-landing of goods	Act8,1878,s.142.
Running account of duties and charges	,, s.41.
Expenses incidental to compliance with Customs law to be borne by owner of goods	,, s.196.

(b) Officers.

Appointment, suspension and dismissal of	Act8,1878,ss.6,7.
District Officer to perform duties of, where no Custom-house	,, s.8.
Power to make rules as to duties of	,, s.9.
Exemption of, from service on jury or inquest or as assessor	,, s.10.
Powers, duties and privileges of, in connection with boarding and remaining on ships	,, ss.67to70, 167(*24*)to(*27*).

(c) Importation and Exportation.

Appointment of ports, wharves, Custom-houses and boarding and landing stations	Act8,1878,ss.11to13,17, 167(*2*),(*3*),(*4*)to(*7*).

CUSTOMS (SEA)—*contd.*

2. Management—*contd.*

(c) Importation and Exportation—*contd.*

Shipping and landing of goods:	
Custom-officers to board and remain on ship; their powers, duties and privileges	Act8,1878,ss.67to70,74. 167(*24*)to(*25*).
Charge for Customs-officer on board	„ s.71.
Restriction as to time and place of	„ ss.71to74,77, 167(*28*),(*31*).
Baggage and mails	„ ss.75,167(*28*).
Boat-note	„ ss.76,167(*29*),(*30*).
Transhipment from one boat to another	„ ss.78,167(*31*).
Registration and licensing of cargo-boats	„ ss.79,167(*32*).
Weighing and measuring	„ s.80.
Setting apart of Port Commissioners' or Port Trustees' wharves, etc., for use under Sea Customs Act, 1878, and payment of tolls, rates, etc., to those Authorities for use of such wharves, etc.:	
Aden Port Trustees	Bom.Act5,1888,ss.35,36.
Bombay Port Trustees	Bom.Act6,1879,s.70.
Calcutta Port Commissioners	Ben.Act3,1890,ss.87,88.
Chittagong Port Commissioners	Ben.Act4,1887,ss.28,29,
Karachi Port Trustees	Bom.Act6,1886,ss.38,39.
Rangoon Port Commissioners	Bur.Act4,1905,ss.76,77.
Wharfage fees; amount and time for payment of	Act8,1878,s.199.
Prohibitions and restrictions. *See* Customs.	
Importation:	
Appointment of warehousing ports	Act8,1878,s.14.
„ and licensing of warehouses	Act8,1878,ss.15,16, Act8,1896,s.4.
Licensing of Calcutta Port Commissioners' warehouses under Act 8, 1878, s. 16	Ben.Act3,1890,s.122A.
Delivery of manifest, bill of lading and port-clearance: contents of manifest	Act8,1878,ss.53to58,60,167 (*13*)to(*20*),(*33*),(*35*).
Special pass for breaking bulk	„ ss.59,167(*19*).
Discharge of cargo; landing and custody of goods	„ ss.81to85,167 (*33*),(*35*).
Entry for home consumption or warehousing	„ ss.86,87,167(*36*) to(*39*).
Sale of goods for duty and charges	„ s.88.
Clearance for home consumption	„ s.89.
Spirit unfit for human consumption	ss. 155. 167(*61*).
Warehousing; entry of goods for	„ ss.86,87.
„ procedure for	„ ss.90,91,93to96, 167(*38*),(*41*)to(*43*).
„ signature by Calcutta Port Commissioners of warrants delivered under Act 8, 1878, s. 96	Ben.Act3,1890,s.122A.
bonds to be executed	Act8,1878,ss.92,106,107 109,114.

CUSTOMS (SEA)—*contd.*

2. Management—*contd.*

(*c*) IMPORTATION AND EXPORTATION—*contd.*

Importation—*contd.*

Warehousing; bonds; forfeiture and discharge of; register of bonds	Act8,1878,ss 118to121.
,, provisions as to goods in a warehouse	,, ss.97to100,102,103, 167(*44*)to(*47*), (*50*)to(*53*).
,, payment of rent and warehouse-dues	,, ss.101,111,118.
,, removal of goods from one warehouse to another	,, ss.104to109,167 (*50*),(*52*),(*53*).
,, clearance of warehoused goods for home consumption, for shipment to foreign port, or for use as ship's stores	,, ss.110to113,120, 167(*50*),(*52*),(*53*).
,, re-assessment of duty when goods damaged or when duty or tariff valuation altered	,, ss.114,115.
,, allowance on wine, spirit, beer or salt for ullage or wastage, in adjusting duties	,, ss.116,117.
,, remision of duties when goods lost or destroyed	,, ss.100,122,206.
,, compensation when claimable for loss of or damage to warehoused goods	,, ss.123,167(*48*), (*49*),206.
,, indemnity to Calcutta Port Commissioners for loss of or damage to petroleum	Ben.Act3,1890,s.122C.
,, payment of duty and expenses how enforced	Act8,1878,ss.119,126.
,, responsibility of keeper or licensee of warehouse	,, ss.123,167(*48*), (*49*).
,, regulation of public warehouses	,, ss.124,125,167 (*45*),(*50*),(*52*),(*53*).
,, sanction of Local Government required to depositing arms, etc., in licensed warehouse	Act11,1878,s.7.
,, conveyance of salt, under time-bond for payment of duty, to warehouse appointed or licensed for the purpose; inspection of warehouses	Act8,1896,ss.5to7.
,, rawana under Bengal Salt Act not required for salt warehoused under Sea Customs Act	Ben.Act7,1864,s.15.

Exportation:

Order for entry outwards, to be obtained	Act8,1878,ss.61,136,167 (*55*).
Delivery of manifest, shipping bills, etc.; contents of manifest; clearance for shipment	,, ss.63,137,167(*16*), (*37*),(*56*).
Port-clearance; ship not to depart without	,, ss.62,167(*21*),(*22*).
,, ,, to be produced to pilot	,, ss.62,167(*23*).
,, ,, application for; refusal of; grant of	,, ss.63to66,167 (*16*),(*17*).
,, ,, not to be granted—	
for native passenger ship until bond executed	Act10,1887,s.29.
for pilgrim ship until bond executed	Act14,1895,s.31.
until payment of—	
coast-light-dues	Act9,1904,s.8. Act9,1879,s.11

CUSTOMS (SEA)—*contd.*

2. Management—*contd.*

(c) IMPORTATION AND EXPORTATION—*concld.*

Exportation—*contd.*

Port-clearance not to be granted until payment of—*contd.*

port-dues, etc., due under Ports Act; expenses of medical attendance, etc., of seamen, etc., due under Merchant Shipping Act, 1894, s. 207	Act15,1908,s.43.
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" " Calcutta Port Act	Ben.Act3,1890,s.122.
" " Bombay Port Trust Act	Bom.Act6,1879,s.67.
" " Aden Port Trust Act	Bom.Act5,1888,s.50.
" " Karachi Port Trust Act	Bom.Act6,1886,s.53.
" " Chittagong Port Commissioners Act	Ben.Act4,1887,s.41.
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Bond when required	Act8,1878,ss.138,144.
Special charge leviable on goods (other than treasure or opium) cleared after port-clearance granted	" s.139.
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" " provisions or stores transferred from one ship to another belonging to same owner	" s.132.
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(*d*) COASTING TRADE.

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2. Management—*contd.*

(*d*) Coasting Trade—*contd.*

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2. Management—*concld.*

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DARJEELING (HIGH COURT'S JURISDICTION) ACT, 1867 (*See* DARJEELING) . . . . . — Act 19, 1867.

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[1] DARJEELING AND KURSEONG MUNICIPAL (PORTERS) ACT, 1883. *See* MUNICIPALITY.

DEATH.

Action for compensation for loss occasioned by death, due to actionable wrong . . . . . — Act 13, 1855.

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DEATH-DUTIES.

Deduction, from State-duty payable under the Finance Act, 1894, of death-duty paid in British possession . . . — 57-8 V. c. 30, s. 20.

DEBT.

Bom. Reg. 5, 1827, ss. 9, 14, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts . . . . . — Act 15, 1874, s. 5.

Written acknowledgment of, not conclusive as to amount, if defendant show that full consideration not received . . — Bom. Reg. 5, 1827, s. 9(*1*).

[1] Short title given by Act 1, 1903, Sch. 1.

DEBT—*contd.*

Proof when required in addition to written acknowledgment, where cultivator sued on writing executed out of British jurisdiction . . . . . Bom.Reg.5,1827,s.9(2).

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Universal donee how far liable for debts of donor . . . . Act4,1882,s.128.

Restrictions on recovery of, from merchant seaman, during voyage . . . . . 57-8V.c.60,s.213. Act1,1859,s.74.

Restriction on arrest of seaman of navy, or marine, for . . 29-30V.c.109,ss.97,98.

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Official management of estates to secure payment of. *See* INCUMBERED ESTATES.

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Abolition of imprisonment for. *See* IMPRISONMENT.

See also ACTIONABLE CLAIM.

DEBTORS (IRELAND) ACT, 1840 (*See* EVIDENCE, I) . . . 3-4V.c.105.

DEBTS RECOVERY ACT, 1830 (11 G. 4, c. 47); s.11 extended to British India . . . . . Act24,1841.

DECEASED WIFE'S SISTER.

Marriage within British possession. *See* MARRIAGE I, (*1*) (*b*).

DECENNIAL SETTLEMENT REGULATION (BENGAL), 1793.[1] (*See* LAND-REVENUE, III, V.) . . . . . Ben.Reg.8,1793.

DECK AND LOAD LINES ACT, 1891 [*See* MERCHANT SHIPPING, 7 (*a*)] . . . . . Act17,1891.

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DEFINITIONS. *See* ACTS OF PARLIAMENT, 2; ACTS AND REGULATIONS, ETC., 2; WORDS AND PHRASES.

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Regulations and Acts in force in Saharanpur declared in force in. Act21,1871,s.1.

High Court and Boards of Revenue to exercise powers in . . ,, s.2.

District Court of Saharanpur to be District Court for . . ,, s.3.

Act 21, 1871, not to apply to Jaunsar Bawar . . . . ,, s.4.

DEKKHAN, ETC.

1. Ahmadnagar, Khandesh and Poona Districts.

Bombay Regulations formally declared in force in . . . Bom.Reg.29,1827,s.2,App. A.

Suits not to be brought in Civil Courts against certain persons of rank in . . . . . ,, s.3.

Agent to be appointed for trial of such suits . . . . ,, s.4(*1*).

Such Agent to have exclusive jurisdiction in suits against such persons connected with land . . . . . Bom.Reg.1,1831,s.1(*1*). Bom.Reg.16,1831,s.2.

Local Government to give Agent list of such persons and instructions as to procedure to be followed in trials . . . . Bom.Reg.29,1827,s.4(*1*).

Such list to comprise 3 classes of persons, and separate instructions to be given in the case of each class . . . . ,, s.4(2)

[1] This short title was given by Act 5, 1897, s. 4.

DEKKHAN, ETC.—*contd.*

1. Ahmadnagar, Khandesh and Poona Districts—*contd.*

General principles to be observed by Agent in trial of such suits	Bom.Reg.29,1827,s.5.	
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Appeal by plaintiff to Local Government in suit against person of 1st class	,,	s.5(*1*).
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Power to appoint Assistant Judge of Poona to be Assistant to the said Agent; reference of suits to Assistant; appeals from decisions of Assistant; limitation of, and procedure in, such appeals	,,	Act19,1835.

2. Dharwar District.

Formation of	Bom.Reg.7,1830,s.1, App.A.	
Bombay Regulations formally declared in force in	Bom.Reg.7,1830,s.2.	
Suits against certain persons of rank in, not to be brought in Civil Courts, but to be tried by Political Agent under special procedure	,,	s.5.
Such Agent to have exclusive jurisdiction in suits against such persons connected with land	Bom.Reg.1,1831,s.1(*1*). Bom.Reg.16,1831.	
Local Government to give Political Agent list of such persons	Bom.Reg.7,1830,s.5.	

3. Parganas of Edulabad and Warangaon.

Bom. Regs. 29 of 1827 (ss. 3, 4, 5), 7 of 1830 (s. 5), and 1 and 16 of 1831 extended to certain persons of rank in	Bom.Act14,1866,s.3.	

4. Satara District.

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5. Sholapur and Southern Mahratta Country.

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" " *remaining* sections extend to districts of Ahmadnagar, Poona, Satara and Sholapur, and may be extended by Government to other districts		
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[1] Act 5, 1888, is repealed by Act 2, 1911, which will come into force on 1st January 1912.

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DISORDERLY HOUSE.

I.—BENGAL.

Local extent of Ben. Act 3, 1906 . . . . . — Ben. Act 3, 1906,s.1.

Ben. Act 3, 1906, rep. in municipalities, constituted under Ben. Act 3, 1884, in which Ben. Act 2, 1866 (Police, Calcutta Suburbs), is in force . . . . . — Ben.Act3,1907,s.3.

Power to summon owner, tenant, manager or occupier of house and direct him to discontinue its use as a brothel or disorderly house; sanction, report or complaint required to initiation of proceedings; penalty . . . . . — Ben. Act3,1906,s.2.

Calcutta. *See* POLICE.

II.—EASTERN BENGAL AND ASSAM.

Local extent of E. B. and A. Act 2, 1907 . . . . . — E.B.&A.Act2,1907,s.1.

Power to summon owner, tenant, manager or occupier of house to show cause why its use as a brothel or disorderly house should not be discontinued . . . . . — ,, s.2.

Power to order such discontinuance . . . . . — ,, s.3.

Power to pass such order *ex parte*, on failure of appearance . — ,, s.4.

Sanction, report or complaint required to initiation of proceedings — ,, s.5.

Penalty for breach of order under section 3 . . . . . — ,, s.6.

Power to authorize inspection of house to ascertain whether such order is being complied with . . . . . — ,, s.7.

See also BROTHEL AND DISORDERLY HOUSE.

DISPENSARIES. *See* HOSPITALS AND DISPENSARIES.

DISPOSAL OF THE DEAD.

1. Town and Suburbs of Calcutta.

(a) BURIAL OF CHRISTIANS.

Burial Board ;	appointment and constitution of	Ben.Act5,1881,ss.2,3.
,, ,,	chairman of	,, s.4.
,, ,,	power of Local Government to place Government burial-grounds under control of	,, s.5.
,, ,,	receipts and expenditure of	,, s.6.
,, ,,	Power of Local Government to withdraw burial-ground from control of	,, s.9.
,, ,,	power of proprietors of Christian burial-ground to place it under control of	,, s.10.
,, ,,	officers and servants of	,, s.7.
,, ,,	power of, to make rules	,, s.8.

(b) BURIAL OF MUHAMMADANS.

Burial Board ;	appointment and constitution of	Ben.Act4,1889,ss.3,4.
,, ,,	chairman of	,, s.5.
,, ,,	control of, over public Muhammadan burial-grounds	,, ss.2,6,7, Sch.I.
,, ,,	Power of owner of Muhammadan burial-ground to place it under control of	,, s.8.
,, ,,	power of, to purchase land for extension of existing or formation of new burial-ground	,, s.9.
,, ,,	power of Local Government to withdraw burial-ground from control of	,, s.10.
,, ,,	receipts and expenditure of	,, s.11.
,, ,,	officers and servants of	,, s.12.
,, ,,	power of, to make rules	,, s.13.

(c) BURIAL OF OTHERS.

Power of Local Government to constitute Board for control of public burial-grounds used for ; powers of such Board	,, s.14,Sch. II.

2. Municipalities.

See under MUNICIPALITY (*sub-heading* "The Public Health, Safety and Convenience").

3. Cantonments.

Power to make rules as to use and management of burial and burning grounds in	Act15,1910,s.24(*18*).

DISTRAINT.

For arrear of rent :

See LANDLORD AND TENANT, II, A, 3 ; III, A, 3 ; IV, A, 3 ; VI,2 (*a*) ; VIII, 2 (*b*) ; IX, 3 ; X, 2.

For arrear of land-revenue :

See cross-references from COLLECTION OF LAND-REVENUE.

For recovery of municipal taxes and dues.

See under MUNICIPALITY (*sub-heading* "Taxation").

Under Presidency Small Cause Courts Act. *See* SMALL CAUSE COURTS, A, 2.

Of ship. *See* MERCHANT SHIPPING, 1 (*b*).

Under Ports Act. *See* PORT, I, 6.

DISTRESSED SEAMEN. *See* MERCHANT SHIPPING, 2(*d*).

DISTRICT.

Definitions of. *See* WORDS AND PHRASES.
Ajmere, a single district . . . . . Reg.1,1877,s.44.
Chittagong Hill tracts, constituted a district . . . . Reg.1,1900,s.7.
In Bengal and Eastern Bengal: list of; power to create, transfer and alter limits of. *See* LAND-REVENUE, III, 1; V, A, 1.
Power to constitute or vary:
In Bombay . . . . . Act14,1869,s.3. Bom.Act5,1879,s.7.
In British Baluchistan . . . . . Reg. 1,1890,s.3.
In *Upper Burma* . . . . . Act13,1898,s.5.
In Central Provinces . . . . . Act18,1881,s.14.
In Madras . . . . . Mad.Act1,1865.
In N.-W. Fr. and Punjab . . . . . Act18,1884,s.18. Act17,1887,s.5.
In U. P. *See* LAND-REVENUE, XVI, 1.

DISTRICT BOARDS ACT (PUNJAB), 1883. (*See* LOCAL SELF-GOVERNMENT, VIII) . . . . . Act20,1883.

DISTRICT BOARD. *See* LOCAL SELF-GOVERNMENT.

DISTRICT CESSES AND RURAL POLICE ACT (BURMA), 1880 (*See* LOCAL RATES AND CESSES, D) . . . . Act2,1880.

DISTRICT COUNCIL, C. P. *See* LOCAL SELF-GOVERNMENT, V.

DISTRICT DAK. *See* POST OFFICE (INDIAN LAW), 6.

DISTRICT DELEGATES ACT, 1881 . . . . . Act6,1881.

DISTRICT JUDGE defined. *See* WORDS AND PHRASES.

DISTRICT MAGISTRATE defined. *See* WORDS AND PHRASES.

DISTURBED DISTRICT.

Act 11, 1857, declared in force—
throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.
in the Arakan Hill District . . . . . Reg.9,1874,s.3.
in Upper Burma generally (except the Shan States) Act13,1898,s.4(*1*),Sch.
in *British Baluchistan* . . . . . Reg.1,1890,s.3.
in Angul District . . . . . Reg.1,1894,s.3.
in Chittagong Hill-tracts . . . . . Reg.1,1900,s.4,Sch.
in Kachin Hill-tracts, as regards hill-tribes . . Reg.1,1895,s.3.
in certain tracts in the Chin Hills . . . Reg.5,1896,s.3.
" " not to apply to *British-born subjects* or their children . . . . . Act11,1857,s.6.
Power of Local Government, when district is proclaimed to be in state of rebellion, to issue commission for trial of offences against the State or heinous crimes against person or property . . . . . " s.3(*1*).
Powers of Commissioners so authorised . . . . . " ss.3(*2*),4.
Power of *Magistrates to commit for trial before such Commissioners* . . . . . " ss.5,11.
Power to quarter additional police in, and recover cost from inhabitants . . . . . Act5,1861,ss.15,16.

DISTURBED DISTRICT—*contd.*

Power to award compensation to sufferers from misconduct of inhabitants of (*See also* POLICE, 1) . . . . . — Act5,1861,ss.15A(rep. inpt.N.-W.Fr. Reg.7,1901,s.3), 16,46. Bur.Act4,1899,ss.25,26.

Power to employ additional police in distrubed area, and recover cost from inhabitants (*See also* POLICE, 1) . . . . . — Bom.Act4,1890,ss.25,26. Bur.Act4,1899,ss.24,26. Mad.Act3,1888,ss.20,22.

Persons duly warned not to pass into, reside or travel in; penalties . . . . . — (Br.Bal.)Reg.9,1887, ss.2to4.

Power to require security for good behaviour from persons suspected of intended disobedience to warning . . . . . — ,, s.5.

Reg. 9, 1887—

repealed in Upper Burma . . . . . — Reg.1,1907,s.6.

declared in force in British Baluchistan (with modifications) *See* FRONTIER . . . . . — Reg.1,1890,ss.3,4.

DIVISIONS.

In Bengal and Eastern Bengal: list of; power to alter. *See* LAND-REVENUE, III, 1; V, A, 1.

Power to constitute or vary:

Bombay . . . . . — Bom.Act5,1879,s.4.

Upper Burma . . . . . — Act13,1898,s.5.

U. P. *See* LAND-REVENUE, XVI, 1.

N. W. Fr. and Punjab . . . . . — Act18,1884,s.18. Act17,1887,s.5.

DIVORCE ACT (INDIAN), 1869. (*See* MATRIMONIAL CAUSES, A.) — Act4,1869.

DIVORCE BILLS EVIDENCE ACT, 1820[1] (*See* EVIDENCE, I; MATRIMONIAL CAUSES, A.) . . . . . — 1G.4,c.101.

DIVORCE. *See* MATRIMONIAL CAUSES, A, 3; C, 3; D.

,, among Muhammadans; registration of. *See* REGISTRATION OF BIRTHS, ETC., B, 2.

DOCUMENTARY EVIDENCE ACT, 1868, 1882, 1895 (*See* EVIDENCE, I) . — 31-2V.c.37. 45-6V.c.9. 58-9V.c.9.

DOCUMENT.

Definitions of. *See* WORDS AND PHRASES.

Offences relating to. *See* CRIMINAL LAW (INDIAN), 16.

Processes to compel production of, in criminal proceedings. *See* CRIMINAL PROCEDURE (INDIAN), 5. *See also* EVIDENCE, II, 3, 5.

DOG.

Muzzling of; destruction or detention of unmuzzled dogs . . — Bom.Act4,1890.s.49. (Bom.City)Bom.Act4,1902, ss.29,118(*f*).

Destruction of stray dogs . . — Mad.Act3,1889,s.10. (Ran.)Bur.Act4,1899,s.50.

[1] This short title was given by 59 & 60 Vict. c. 14.

DOG—*contd.*

Destruction or detention of, by police . (Cal.Sub.)Ben.Act2,1866, s.42. (Cal.)Ben.Act 4,1866,s.102. (Bom.Districts)Bom.Act4, 1890,ss.49,50. (Bom.City)Bom.Act4,1902, s.29. (Mad.City)Mad.Act3,1888, s.29.

Punishment for letting loose unmuzzled dogs, etc. *See also* STREETS, THOROUGHFARES AND PUBLIC PLACES.

Muzzling of, in municipalities :

See Under MUNICIPALITY (*sub-heading* "The Public Health, Safety and Convenience").

Destruction of stray dogs in municipalities. *See Ibid.*

Taxation of, in municipalities :

Aj.	Reg. 5, 1886, s. 41(*c*).
Bom. Districts	Bom. Act 3, 1901, s. 50(*v*).
Bur.	Bur. Act 3, 1898, s. 46(*b*).
C. P.	Act 16, 1903, s. 35 (*iv*).
Mad. City	Mad. Act 3, 1904, s. 150, Sch. VI.
N.-W. Fr. and Punj.	Act 20, 1891, s. 42(*c*).
U. P.	U. P. Act 1, 1900, s. 59(*c*).

DOMICILE ACT, 1861 [1] [*See* ADMINISTRATION OF ESTATES (ENG. LAW); DOMICILE] . 24-5V.c.121.

DOMICILE.

Power by order in Council, under convention with foreign State, to declare that British subject residing and dying abroad, or foreigner residing and dying in United Kingdom, shall retain domicile for purpose of testate or intestate succession as to moveables, unless certain conditions for changes of domicile complied with . 24-5V.c.121.

What form sufficient for execution of will of personality by British subject abroad or in United Kingdom . 24-5V.c.114.

Will not be revoked by subsequent change of domicile . 24-5V.c.114,s.3.

See SUCCESSION, 2.

DOURINE ACT, 1910 (*See* ANIMAL A, 1) . Act5,1910.

DOWER ACT, 1839 (*See* DOWER). Act29,1839.

DOWER.

1. Preliminary.

Act 29, 1839, declared in force throughout British India, except as regards the Scheduled Districts . Act 15, 1874, s. 3.

,, ,, not to take effect before 1st July1840 . Act29,1839,s.14.

,, ,, repealed except as to marriages contracted before 1st January 1866 . Act8,1868.

Definitions . Act29,1839,s.1.

2. Right to, and Bar of Right.

Right to, out of equitable estates of inheritance . ,, s.2.

,, where husband entitled to right of entry or action . ,, s.3.

No right to, out of land disposed of by husband by deed or will . ,, s.4.

Postponement of, to partial estates, charges and debts of husband ,, s.5.

[1] This short title was given by 59 & 60 Vict. c. 14.

DOWER—*contd.*

2. Right to, and Bar of Right—*contd.*

Bar of, by declaration in deed or in will	Act29,1839,ss.6,7.
Imposition of restrictions on, by will	„ s.8.
Bar by devise to widow of land subject to dower, unless contrary intention declared	„ s.9.
No bar by bequest of personality, or devise of land not subject to dower, unless contrary intention declared	„ s.10.
Enforcement of agreement not to bar	„ s.11.
Saving for priority of legacies in satisfaction of	„ s.12.
„ certain rights and jurisdiction	„ s.15.
Restriction of claims under Muhammadan contracts of dower	(Aj.)Reg.3,1877,s.32. (O.)Act18,1876,s.5.

DRAINAGE ACT (BENGAL), 1880 . . . . . Ben.Act6,1880.

DRAINAGE.

1858. Act 1, s. 6 (Compulsory Labour, Madras).

1873. Act 8, ss. 3 to 13, 55 to 67, 69 to 73, 75 (Irrigation and Drainage, Central Provinces, United Provinces, Punjab).

1874. Act 15, s. 4 (Laws Local Extent).

1876. Ben. Act 3, ss. 1, 3, 5, 40 to 45, 92 to 95, 97 to 99 (Irrigation and Drainage).

1879. Bom. Act 7, ss. 3, 4, 12 to 15, 31, 32, 38 to 41, 61, 63, 65 to 70 (Irrigation and Drainage).

1880. Ben. Act 6 (Drainage).

1882. Ben. Act 2, s. 91 (Embankments).

1895. Ben. Act 8 (Sanitary Drainage).

1902. Ben. Act 2, ss. 14 to 19 (Drainage amendment).

1905. Bur. Act 2, ss. 3, 5, 59 to 79 (Drainage, Burma).

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

A.—Under the Bengal Irrigation Act, 1876.
B.—Under the Bengal Drainage Act, 1880.
1. PRELIMINARY.
2. DRAINAGE COMMISSIONERS.
3. DRAINAGE-SCHEME.
4. SUPPLEMENTAL.
C.—Under the Bengal Sanitary Drainage Act, 1895.
1. PRELIMINARY.
2. DRAINAGE COMMISSIONERS AND JOINT COMMITTEES OF LOCAL AUTHORITIES.
3. DRAINAGE-SCHEME.
4. SUPPLEMENTAL.

II.—BOMBAY PRESIDENCY.

III.—BURMA.

IV.—CENTRAL PROVINCES, SAMBALPUR DISTRICT (BENGAL), N.-W. FR. PROVINCE, PUNJAB AND UNITED PROVINCES.

V.—MADRAS PRESIDENCY.

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

A.—Under the Bengal Irrigation Act, 1876.

Act applicable only to districts to which extended by Local Government	Ben.Act3,1876,s.1
Definitions	„ s.3.
Appointment of officers, etc.	„ s.5.

DRAINAGE—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

A.—Under the Bengal Irrigation Act, 1876—*contd.*

Power to prohibit obstructions in, or order their removal from, river, stream or natural drainage-course; portion of river, etc., so dealt with becomes a "drainage-work"	Ben.Act3,1876,s.40.
Removal or modification of such obstructions, and recovery of cost	,, ss.41,42.
Preparation of scheme for works of improvement	,, s.43.
Compensation: claims for, how dealt with; limitation of claims	,, ss.44,45.
Power of officers to summon and examine witnesses	,, s.92.
Penalties; removal of obstruction or repair of damage by convicted person; saving of prosecutions under other laws; compensation and rewards payable out of fines	,, ss.93to95, 97,98.
Making and publication of subsidiary rules	,, s.99.

B.—Under the Bengal Drainage Act, 1880.

1. PRELIMINARY.

Definitions	Ben.Act6,1880, s.3 (am. Ben.Act 2,1902,s.2).

2. DRAINAGE COMMISSIONERS.

Appointment, etc., of Commissioners to carry out scheme and plans for drainage and improvement of land; Qualifications of Commissioners; proceedings not invalid for want of qualifications	Ben.Act.6,1880,s.4.
Chairman of Commissioners; appointment and powers of	,, ss.5,7,8,10.
Meetings of Commissioners	,, ss.6to9(*1*).
Delegation of powers of Commissioners to Committee of their number; meetings of Committee	,, s.9(*2*)to(*4*).
Officers and servants of Commissioners; appointment, etc., of	,, s.10.
Cessation of functions of Commissioners when objects of their appointment fulfilled	,, s.11.

3. DRAINAGE-SCHEME.

Notification of	,, s.12, Sch.A.
Ascertainment of votes of landholders	,, ss.13to16.
If landholders of half the area to be improved have assented to adoption of scheme, Commissioners to consider it; adoption of scheme, in whole or in part; sanction of Local Government required to adoption	,, ss.17to19.
Modification of scheme by Commissioners	,, s.20.
Acquisition of land for carrying out scheme	,, s.21.
Power of Local Government—	
to have scheme carried out by special officer with advance from public funds	,, s.22.
to sanction modification of scheme on suggestion of such officer	,, s.23.
Compensation payable for damage caused by carrying out scheme	,, s.24.
Reports of progress and completion of works	,, ss.27,28.

DRAINAGE—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

B.—Under the Bengal Drainage Act, 1880—*contd.*

3. DRAINAGE-SCHEME—*contd.*

Expenses connected with carrying out scheme :

May be met by advances from public funds	Ben.Act6,1880,s.25.
Interest on advances : rate of ; no compound interest	„ ss.26,26A.
Reports of expenditure ; certificate of Examiner of Accounts to be conclusive evidence as to advances	„ s.27.
Commissioners to classify lands benefited by works and to apportion cost of construction and interest	„ s.28.
Declaration as to liability to pay expenses where land benefited forms part of tenure	„ s.30.
Expenses a first charge on land benefited ; charge not avoided by sale for arrears of revenue or rent	„ s.31.
Publication, etc., of report describing apportionment	„ ss.32,34.
Making of apportionment and report thereof by Government officers in default of Commissioners	„ s.33.
Appeal against, and final determination of, apportionment	„ ss.35,36.
Power to add to, or alter, declaration as to names of persons liable to pay	„ s.36A.
Powers of Collector for recovery of apportioned sum	„ ss.37to40. 48,Sch.B.
Right of landholder to repay apportioned sum at any time	„ s.41.
Power to recover share of payments from co-sharers	„ ss.41A. 51B,51C.
Recovery of apportioned sum, with interest, by superior from inferior holder of land, by enhancement of rent or otherwise ; intervention of Collector	„ ss.42to 44,45.
Recovery, under the certificate procedure, of payments made in respect of land held by tenants	„ ss.44A, 45,51B,51C.
Bar to recovery of money from tenants in certain cases	„ s.44B.
Works to be subject to law relating to construction and maintenance of public embankments and public rivers, channels and outlets	„ s.46.
Bengal Embankment Act, 1882, not to apply to embankment, land or water-course under operation of Ben. Act 6, 1880	Ben. Act2,1882,s.91.
Land acquired, and works, vested in Collector in behalf of Secretary of State Appointment or election of Committee of landholders to assist Collector in managing works	Ben.Act6,1880,s.47.
Recovery of cost of maintenance of works	„ s.48.

Part claims and charges in respect of the drainage schemes of Howrah and Rajapur :

Recovery of, under the certificate procedure	Ben.Act2,1902,s.14.
Reduction of charges	„ s.15.
Refunding or crediting of reduction to landholder	„ s.16.
Proportionate reduction in amounts recoverable—	
by landholder from tenants	„ s.17.
by superior tenants from under-tenants	„ s.18.
Power to make rules as to reductions	„ s.19.

DRAINAGE—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

B.—Under the Bengal Drainage Act, 1880—*concld.*

4. SUPPLEMENTAL.

Treatment, for purposes of recovery of dues, of certain lands held free of rent or revenue	Ben. Act 6, 1880,	ss.50,51.
Recovery, under the certificate procedure, of payments made in respect of land held free of rent or revenue	,,	ss.51A to 51C.
Power of Collector to suspend recovery of dues in case of failure of crops; bar to jurisdiction of Courts; subsequent procedure; interest not to accrue during period of suspension	,,	ss.51D to 51J.
Power to direct that portion of adopted scheme shall be deemed a separate scheme	,,	s.54.
Powers of Commissioners and officers for taking evidence	,,	s.49.
Service of notices	,,	s.52.
Defects and irregularities not to invalidate proceedings	,,	ss.4,53.
Functions of Collector; conferral of, by Local Government, on other persons	,,	s.55.
,, ,, delegation of, by himself	,,	s.56.
General control of Commissioner, of Division over Drainage Commissioners and Collector	,,	s.57.
Making and publication of rules for carrying out provisions of Act	,,	s.58.
Application of Bengal Act 6, 1880, to works carried out under former law (Ben. Act 5, 1871)	,,	s.59.

C.—Under the Bengal Sanitary Drainage Act, 1895.

1. PRELIMINARY.

Definitions	Ben. Act 8, 1895,	ss.2,6,13.

2. DRAINAGE COMMISSIONERS AND JOINT COMMITTEES OF LOCAL AUTHORITIES.

Election and appointment of Commissioners, on application of District Board, when sanitary condition of land deteriorated by obstruction of drainage; qualifications of Commissioners	,,	s.3(*1*).
Designation of Commissioners; power to add to their number; filling of casual vacancies	,,	s.5.
Chairman of Commissioners; election of	,,	s.3(*2*).
Election of Joint Committee, where lands are subject to more than one Local Authority	,,	s.4(*1*).
Powers and proceedings of Joint Committee; payment of expenses by Local Authorities	,,	s.4(*2*).

3. DRAINAGE-SCHEME.

Engineer to prepare survey for restoration or improvement of drainage; Commissioners to prepare preliminary scheme; separate details to be shown for lands included in municipality	,,	s.6(*1*).
Collector to prepare statement of cesses and estimate of rate to provide for cost of construction and maintenance of works	,,	s.6(*2*).
Collector to invite objections to survey and preliminary scheme	,,	s.7, Sch.
Consideration of survey, scheme and objections by Commissioners and District Board	,,	ss.8,9.

DRAINAGE—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

C.—Under the Bengal Sanitary Drainage Act, 1895—*contd.*

3. DRAINAGE-SCHEME—*contd.*

If scheme rejected, District Board to pay expenses	Ben. Act 8, 1895,	s.10.
Adoption of survey and preliminary scheme; calculation of rate to be imposed	,,	ss.11,12.
Local Government may approve, modify or reject scheme	,,	s.14.
District Board may reconsider and alter scheme; powers of Local Government thereon	,,	s.15(1)
Publication of alterations in scheme	,,	s.15(2).
Acquisition of land for scheme	,,	s.16.
Works by whom to be carried out; powers of entry exerciseable by person executing work	,,	s.17.
Report of progress of works	,,	s.19.
Expenses connected with carrying out scheme:		
Total cost what to include and how ascertained	,,	ss.18,20.
Reports of expenditure	,,	s.19.
Proportionate payments where area benefited is under different Local Authorities	,,	s.19(2),(3).
Payment to be made by Municipal Commissioners when area benefited is under their control	,,	s.25
Determination of rate for payment of	,,	s.21.
Rate to be published and paid with road-cess; recovery of arrears	,,	s.22.
Recovery by superior from inferior holder of land of half the rate paid by the former	,,	ss.23,24.
Power of Municipal Commissioners to add to the tax on persons or the rate on holdings, to provide for payment of	,,	s.25(2)
Power of Local Government to stay proceedings until scheme revised, when satisfied that cost has been erroneously estimated	,,	s.34.
Works to be subject to law relating to construction and maintenance of public embankments, rivers, channels and outlets	,,	s.26.
Land acquired, and works vested in District Board	,,	s.28.

4. SUPPLEMENTAL.

Penalty for obstructing natural drainage	,,	s.27.
Powers of Commissioners and officers for taking evidence	,,	s.29.
Defects and omissions not to invalidate proceedings	,,	s.30.
Powers of Collector; conferral of, by Local Government on other persons	,,	s.31.
,, ,, delegation of, by himself	,,	s.32.
General control of Commissioner of Division over Drainage Commissioners and Collector	,,	s.33.
Making and publication of rules for carrying out provisions of Act	,,	s.35.

II.—BOMBAY PRESIDENCY.

Definitions	Bom. Act 7, 1879,	s.3.
Appointment of officers, etc.	,,	s.4.

DRAINAGE—*contd.*

II.—BOMBAY PRESIDENCY—*contd.*

Power to prohibit obstructions in, or order their removal from, river, stream or natural drainage-course; portion of river, etc., so dealt with becomes a "drainage-work"	Bom. Act 7, 1879,	s.12.
Removal or modification of such obstructions, and recovery of cost	,,	ss.13,14.
Preparation of scheme for works of improvement	,,	s.15.
Compensation: in what cases payable for damage caused by exercise of powers under Act; limitation of claims; adjudication of claims; payment when to be made; interest when allowed on payments	,,	ss.31,32, 38to41.
Penalties; removal of obstruction or repair of damage by convicted person; saving of prosecutions under other laws; reward of informers	,, ,,	ss.61,63, 65,66.
Appeal and supervision	,,	s.67.
Power of officers to summon and examine witnesses	,,	s.68.
Service of notices	,,	s.6.
Making and publication of subsidiary rules	,,	s.70.

III.—BURMA.

Definitions	Bur. Act 2, 1905,	s.3.
Appointment of officers, etc.	,,	s.5.
Power to prohibit obstructions in, or order their removal from, river, stream or drainage-channel; portion of river, etc., so dealt with becomes "drainage-work"	,,	s.59.
Removal or modification of obstruction, and recovery of cost	,,	s.60.
Preparation of scheme for works of improvement	,,	ss.61,62.
Compensation for loss caused by removal of obstruction or carrying out of works; disposal of claim; limitation of claim	,,	s.65.
Rates on lands benefited by drainage-works; recovery of rates	,,	ss.63,64, 80.
Procedure for obtaining labour and materials for drainage works on emergency; payment; compensation	,,	ss.66to71.
Power of officer making inquiry to summon and examine witnesses; inquiry to be deemed judicial proceeding	,,	s.74.
Jurisdiction of Civil Courts in respect of claims against Government for anything done under Act	,,	s.72.
Offences and penalties; compensation to person injured by offence against Act; arrest without warrant	,,	ss.75,76, 78.
Making and publishing of rules; penalty for breach of rule	,,	s.79.

IV.—CENTRAL PROVINCES, SAMBALPUR DISTRICT (BENGAL), NORTH-WEST FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES.

Definitions	Act 8, 1873,	ss.3,55,63.
Appointment of officers, etc.	,,	s.4.
Power of Local Government to declare that water will be applied or used for purposes of drainage-work; consequences to ensue on such declaration (*for details see* IRRIGATION, V, 2)	,,	ss.5to13.
,, to prohibit obstructions in, or order their removal from, river, stream or drainage-channel; portion of river, etc., so dealt with becomes a "drainage-work"	,,	s.55.

DRAINAGE—*concld.*

IV.—CENTRAL PROVINCES, SAMBALPUR DISTRICT (BENGAL), NORTH-WEST FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES—*contd.*

Removal of such obstructions, and recovery of cost . . . . Act8,1873,s.56.
Preparation of schemes for works of improvement . . . „ ss.57,58.
Procedure for obtaining labour for works on emergency . . „ ss.63to66.
Compensation: claims for, how dealt with; limitation of claims „ ss.61,62.
Rate on lands benefited by works; imposition and recovery of . „ ss.59,60.
Jurisdiction of Civil Courts . . . . . „ s.67.
Power of officers to summon and examine witnesses . . . „ s.69.
Penalties; prosecutions under other laws; compensation payable out of fines; arrest; making and publication of subsidiary rules . . . . . „ ss.70to73,75.

V.—MADRAS PRESIDENCY.

Act 1, 1858, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . Act15,1874,s.4.
Penalty on villagers who are bound by custom to contribute labour for purpose of drainage-work refusing to comply with requisition for labour . . . . . Act1,1858,s.6.

DRAINS.

To be managed by Local Self-Government Boards. *See* LOCAL SELF-GOVERNMENT, III, 3; VII, 3; IX, 3.

DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Regulation of, in municipalities:
See under MUNICIPALITY (*sub-heading* "The Public Health, Safety and Convenience").
Regulation of, in Aden, *see* ADEN, 3.
Regulation of, in bazars in British Baluchistan, *see* BRITISH BALUCHISTAN, II, 6 (*f*).

DRAMATIC COPYRIGHT ACT, 1833[1] (*See* COPYRIGHT, 2) . 3-4W.4,c.15.
DRAMATIC PERFORMANCES ACT, 1876 (*See* DRAMATIC PERFORMANCE) . . . . . Act19,1876.

DRAMATIC PERFORMANCE.

Act 19, 1876, extends to whole of British India . . . Act19,1876,s.1.
„ „ declared in force in Upper Burma generally, except the Shan States (with modifications and with the exception of s. 12) . . . . . Act13,1898,s.4,Sch.
Power of Local Government or specially empowered Magistrate to prohibit public performance of scandalous, etc., play; procedure and penalties . . . . . Act19,1876,ss.3to9.
Power of Local Government in specially notified areas to prohibit public performance of play without license, or until play submitted for official inspection; penalty for disobedience . . „ s.10.
Penalty for holding, etc., unlicensed *pwè* in any town or village tract in Burma . . . . . Bur.Act3,1907,s.11. Bur.Act6,1907,s.21.
Copyright in dramatic pieces. *See* COPYRIGHT, 2 (*b*), 5 (*a*).

DRINK. *See cross-references from* FOOD AND DRINK.

DRUGS.

Punishment of offences relating to . . . . . Act45,1860,ss.274to276.

[1] This short title was given by 59 & 60 Vict. c. 14.

DRUGS—*contd.*

Destruction of, on conviction of offence . . . . . Act5,1898,s.521.

Control over sale of, in municipalities. *See under* MUNICIPALITY (*sub-heading* "The Public Health, Safety and Convenience").

Intoxicating. *See* EXCISE, 3.

See also POISON.

DUTIES AND POWERS.

Statutory; general provisions as to performance and exercise of. *See* ACTS OF PARLIAMENT, 1; ACTS AND REGULATIONS, ETC., 1.

EASEMENTS ACT (INDIAN), 1882 . . . . . Act5,1882.

EASEMENT.

[1] Act 5, 1882, extends *proprio vigore* to Sambalpur District (Bengal), Central Provinces, Coorg and Madras Presidency . . . . . Act5,1882,s.1.

" " extended to Bombay Presidency and the United Provinces . . . . . Act8,1891.

" " not to affect rights of Government as to water, rights over immoveable property irrespective of other immoveable property, or rights acquired before commencement of Act . . Act5,1882,s.2.

Definition of "easement" and of terms used in connection therewith . . . . . " ss.4,7.

Definition of "easement" . . . . . Act9,1908,ss.2,29(*3*).

Description of various kinds of . . . . . Act5,1882,ss.5,6.

Who may impose . . . . . " ss.8to11.

" " acquire . . . . . " s.12.

Easements of necessity, and *quasi*-easements . . . . " ss.13,14.

Acquisition of . . . . . " ss.15to17. Act9,1908,ss.26,27, 29(*3*).

Customary easements . . . . . Act5,1882,s.18.

Transfer of dominant heritage passes easement . . . . " s.19.

Use of, may be controlled by contract, custom, etc. . . . " s.20.

" barred, save as connected with enjoyment of dominant heritage . . . . . " s.21.

" mode and confinement of . . . . . " s.22.

" alteration of mode or place of . . . . . " s.23.

" right to do acts to secure . . . . . " s.24.

" liability for charges connected with . . . . " ss.25,26.

" rights and duties of servient owner in connection with . " s.27.

" right to obstruct in case of excessive . . . . " s.31.

" dominant owner not entitled to abate wrongful obstruction of . . . . . " s.36.

Extent of . . . . . " s.28.

Increase of, by alteration of dominant heritage, barred . . " s.29.

How affected by partition of dominant heritage . . . " s.30.

Disturbance of, prohibited . . . . . " s.32.

" suit for compensation for, when maintainable . " ss.33,34.

" injunction to restrain . . . . . " s.35.

Extinction of . . . . . " ss.37to50.

[1] Act 5, 1882, has been extended to Ajmer-Merwara by notification under Act 14, 1874.

EASEMENT—*contd.*

Suspension of . . . . . Act5,1882,ss.49,59.
Revival of . . . . . ,, s. 51.
Intervention of Magistrate in case of dispute concerning. *See* CRIMINAL PROCEDURE (INDIAN), 6 (*d*).

EAST INDIA ACT, 1797 [*See* CRIMINAL LAW AND PROCEDURE (ENG.); HIGH COURT] . . . . . 37G.3,c.142.

EAST INDIA ANNUITY FUNDS ACT, 1874[1] . . . (*See* GOVERNMENT OF INDIA) 37-8V.c.12.

EAST INDIA COMPANY. *See* GOVERNMENT OF INDIA, 1.

EAST INDIA COMPANY ACT, 1770[1] [*See* CRIMINAL LAW AND PROCEDURE (ENG.); GOVERNMENT OF INDIA] . . 10G.3,c.47.

EAST INDIA COMPANY ACT, 1772[1] [*See* CRIMINAL LAW AND PROCEDURE (ENG.); EVIDENCE, I; GOVERNMENT OF INDIA; HIGH COURT; INDIAN MILITARY AND NAVAL FORCES] 13G.3,c.63.

EAST INDIA COMPANY ACT, 1780[1] [*See* CRIMINAL LAW AND PROCEDURE (ENG.); GOVERNMENT OF INDIA; HIGH COURT] . . . . . 21G.3,c.70.

EAST INDIA COMPANY ACT, 1784[1] [*See* CRIMINAL LAW AND PROCEDURE (ENG.); EVIDENCE, I] . . . . 24G.3,c.25.

EAST INDIA COMPANY ACT, 1786[1] [*See* CRIMINAL LAW AND PROCEDURE (ENG.); EVIDENCE, I] . . . . 26G.3,c.57.

EAST INDIA COMPANY ACT, 1793[1] [*See* COMMANDER-IN-CHIEF; CRIMINAL LAW AND PROCEDURE (ENG.); GOVERNMENT OF INDIA; HIGH COURT; INDIAN MILITARY AND NAVAL FORCES; JUSTICE OF THE PEACE; SECRETARIES] . . 33G.3,c.52.

EAST INDIA COMPANY ACT, 1813[1] [*See* ADVOCATE GENERAL; BISHOPS AND CLERGY; GOVERNMENT OF INDIA; HIGH COURT; INDIAN MILITARY AND NAVAL FORCES; SECRETARIES] . . . . . 53G.3,c.155.

EAST INDIA COMPANY BONDS ACT, 1811[1] . . . . . 51G.3,c.64.
EAST INDIA COMPANY (MONEY) ACT, 1786[1] 26G.3,c.62
EAST INDIA COMPANY (MONEY) ACT, 1788[1] . . . . . 28G.3,c.29.
EAST INDIA COMPANY (MONEY) ACT, 1789[1] . . . . . 29G.3,c.65.
EAST INDIA COMPANY (MONEY) ACT, 1791[1] 31G.3,c.11
EAST INDIA COMPANY (MONEY) ACT, 1793[1] . . . . . 33G.3,c.47.
EAST INDIA COMPANY (MONEY) ACT, 1794[1] . . . . . 34G.3,c.41.
(*See* GOVERNMENT OF INDIA)

EAST INDIA CONTRACTS ACT, 1870[1] (*See* GOVENRMENT OF INDIA; PROPERTY) . . . . . 33-4V.c.59.

EAST INDIA IRRIGATION AND CANAL ACT, 1869 . . 32-3V.c.7.

EAST INDIA IRRIGATION AND CANAL COMPANY.

Transfer of Orissa and Behar undertakings by the Company to the Secretary of State for India in Council . . . . 32-3V.c.7.

EAST INDIA LOANS ACT[1], 1858 (*See* GOVERNMENT OF INDIA) . . . 21-2V.c.3.

[1] This short title was given by 59 & 60 Vict. c. 14.

EAST INDIA LOAN ACT, 1859[1]		22V.c.11.
EAST INDIA LOAN (NO. 2) ACT, 1859 [1]	(*See* FINANCE)	22-3V.c.39.
EAST INDIA LOAN ACT, 1860[1]		23-4V.c.130.
" " " " 1861[1]		24-5V.c.25.
" " " " 1869[1]		32-3V.c.106.
" " " " 1873[1]		36-7V.c.32.
" " " " 1874[1]		37-8V.c.3.
" " " " 1877[1]		40-IV.c.51.
" " " " 1879[1]		42-3V.c.60.
" " " " 1885[1]		48-9V.c.28.
" " " " 1893		56-7V.c.70.
" " " " 1898		61-2V.c.13.
" " " " 1908		8Edw.7,c.54.
EAST INDIA LOAN (GREAT INDIAN PENINSULA RAILWAY DEBENTURES) ACT, 1901		1Edw.7,c.25.
EAST INDIA LOAN (EAST INDIAN RAILWAY DEBENTURES) ACT, 1880. (*See also* E. I. RY. Co.).		43V.c.10.
EAST INDIA LOANS (RAILWAYS) ACT, 1905		5Edw.7,c.19.
EAST INDIA LOANS (RAILWAYS AND IRRIGATION) ACT, 1910		10Edw.7,c.5.
EAST INDIA OFFICERS' ACT, 1826[1]	(*See* GOVERNMENT OF INDIA; INDIAN MILITARY AND NAVAL FORCES)	7G.4,c.56.
EAST INDIA STOCK ACT, 1860[1]	(*See* FINANCE)	23-4V.c.102.
EAST INDIA STOCK DIVIDEND REDEMPTION ACT, 1873		36-7V.c.17.
EAST INDIA UNCLAIMED STOCK ACT, 1885	(*See* FINANCE; RAILWAY)	48-9V.c.25.
EAST INDIAN RAILWAY (REDEMPTION OF ANNUITIES) ACT, 1879[1].	(*See* E. I. R. Co., FINANCE)	42-3V.c.43.
EAST INDIAN RAILWAY (REDEMPTION OF ANNUITIES) ACT, 1881[1]		44-5V.c.53.
EAST INDIAN RAILWAY COMPANY.		
Raising stock for redemption of annuity charged on Indian revenues for purchase of; purchase of annuity from holders		42-3V.c.43. 44-5V.c.53.
Raising loan for payment of debentures of		43V.c.10.
EASTERN BENGAL AND ASSAM.		
Constitution of Province		Act7,1905, preamble.
" " pending proceedings not affected by		" s.6.
Proclamations constituting Province, not to change territorial application of enactments		" s.2.
Construction of certain references in enactments, notifications, orders, schemes, rules, forms and by-laws in force in		" s.3,Schs. A, B, D.
Board of Revenue for—		
Constitution and functions of; exercise by, of functions of Board of Revenue, Bengal		" ss.3,4,Schs. A, B, D.
Powers to Courts and Local Government for facilitating application of enactments, notifications, orders, schemes, rules, forms and by-laws in		" s.5,Schs. A, B.

[1] This short title was given by 59 & 60 Vict. c. 14.

EASTERN BENGAL AND ASSAM—*contd.*

Districts comprised in Assam . . . . . Act7,1905,Sch.A.

" transferred from Bengal to the Province of Eastern Bengal and Assam . . . . . " Sch.B.

EASTERN BENGAL AND ASSAM COURT OF WARDS (AMENDMENT) ACT, 1907 . . . . . E.B.&A.Act3,1907.

ASTERN BENGAL AND ASSAM DISORDERLY HOUSES ACT, 1907 (*See* DISORDERLY HOUSE) . . . . E.B.&A.Act2,1907.

EASTERN BENGAL ASSAM EXCISE ACT, 1910 [*See* CANTONMENT; CRIMINAL PROCEDURE (IND.); CUSTOMS (INLAND); CUSTOMS (SEA); EXCISE; MUNICIPALITY, IV, 6 (*k*); VI, 6(*m*)] E.B.&A.Act1,1910.

EASTERN BENGAL AND ASSAM GENERAL CLAUSES ACT, 1909 (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES; CHITTAGONG HILL-TRACTS; DEREGULATIONISED TRACTS; FRONTIER) . . . . . E.B.&A.Act1,1909.

EASTERN BENGAL AND ASSAM LAND REGISTRATION (AMENDMENT) ACT, 1907 . . . . . E.B.&A.Act1,1907.

EASTERN BENGAL AND ASSAM TENANCY (AMENDMENT) ACT, 1908 . . . . . E.B.&A.Act1,1908.

EASTERN DVARS (IN GOALPARA DISTRICT, ASSAM). *See* FRONTIER, A, 1.

EASTERN FRONTIER REGULATION (BENGAL), 1873 [1] *See* (FRONTIER) **A**, 2; **D**,1 . . . . . Reg.5,1873.

EDUCATION.

To be carried on under authority of Local Self-Government Boards. *See* LOCAL SELF-GOVERNMENT, II, 3; III, 3; IV, 3; V, 3; VII, 3; VIII, 3; IX, 3.

Provisions as to, in municipalities. *See under* MUNICIPALITY (*sub-headings* "Funds and Property", "The Public Health, Safety and Convenience").

Expenditure on, in cantonments . . . . . Bom.Act1,1884,s.48.

Colleges, etc., for natives. *See* GOVERNMENT OF INDIA, 3. *See also* UNIVERSITY.

EDULABAD PARGANA. *See* DEKKHAN, ETC., 3.

ELDERS WIDOWS' FUND (INDIA) ACT, 1878 [2] . . . . . *See* ELDERS WIDOWS' FUND . . . 41-2V.c.47.

ELDERS WIDOWS' FUND.

Claim of certain subscribers to, on transfer of part of, to India Office Provident Fund . . . . . 41-2V.c.47,s.2.

Annual contribution of Secretary of State for India to . . . " s.3.

Power to trustees to apply capital in discharge of liabilities . " s.4.

Application of ultimate surplus; provision in case of deficiency . " ss.5,6.

See also REGULAR AND ELDERS WIDOWS' FUNDS ACT, 1897.

ELECTRICITY ACT (INDIAN), 1910 . . . . . Act9,1910.

ELECTRICITY.

1. Preliminary.

Act 9, 1910; extent and commencement of . . . . Act9,1910,s.1.

Definitions . . . . . " s.2.

[1] This short title was given by Notification No. 13, dated 11th October 1875, in Gazette of India, 1875, Pt. 1, p. 529.

[2] This short title was given by 59 & 60 Vict. c. 14.

ELECTRICITY—*contd.*

2. Supply of Energy.

License to supply, etc., granting of; procedure; notices to be given and objections to be considered; form and contents of license	Act 9, 1910, s.3, Sch.	
„ revocation of; addition of further terms and conditions; power to vary terms of purchase in	„	ss.4,10.
„ purchase of undertaking or removal of materials, etc., on revocation of	„	ss.5,6, 8,9.
Licensee; option of local authority to purchase undertaking of	„	ss.7,8.
„ not to associate himself with other licensed undertaking or transfer undertaking without consent of Local Government	„	s.9.
„ accounts of, and security to be given by	„	s.11, Sch. cls. I, II, III.
Non-licensee not to engage in supplying energy except with sanction of Local Government; restriction on grant of sanction	„	s.28.
Streets, railways, tramways, etc.; breaking up of, by licensees	„	ss.12,16.
„ „ „ „ „ „ by non-licensees	„	s.29.
Supply lines and other works; laying of; repairs	„	ss.12 to 19, 29.
Restrictions on placing works in, under, over, along or across streets, railways, etc.	„	s.13, Sch., cl. XVII.
„ alteration of pipes, wires, electric supply lines or works	„	s.14.
„ placing works near sewers, pipes, etc., or other works	„	s.15.
„ placing works near telegraph lines, etc.	„	s.17.
„ power of placing aërial lines	„	ss.13(3), 18.
„ non-licensee transmitting or using energy	„	s.30.
Power to fix on private building or land support, stay or strut for aërial line	„	s.13(2).
Powers of telegraph authority when exerciseable by licensee, etc.	„	s.51.
Compensation for damage	„	s.19.
Supply of energy, obligation of licensee as to	„	s.22, Sch., cls. IV to IX.
„ charges for; to be made without undue preference	„	s.23, Sch., cls. X to XII.
„ meter; provisions as to; "correct" meter defined	„	s.26.
„ power of licensee to discontinue in certain cases	„	s.24.
„ outside area of supply	„	s.27.
Control or interference by licensee with use of energy	„	s.21.
Power of licensee to enter on premises, etc.	„	s.20.
Protection of railways, tramways, canals, etc., and telegraphic, telephonic or electric signalling lines	„	ss.31,32.
Electric supply lines not to be connected with earth except as prescribed	„	s.34.
Accidents, notice of and inquiry into	„	s.33.

ELECTRICITY—*concld.*

3. Penalties.

Theft of energy . . . . . Act9,1910,s.39..
Maliciously wasting energy or injuring works . . . . „ s.40..
Negligently wasting energy or injuring works . . . . „ s.46.
Unauthorized supply or illegal transmission of energy by non-licensees . . . . . „ ss.41,43.
Defective supply or contravention of provisions of Act by licensee . . . . . „ s.42..
Interference with meters or licensee's works and improper use of energy . . . . . „ s.44..
Public lamps; maliciously extinguishing . . . . . „ s.45.
Breach of provisions of Act, order or license . . . . „ s.47..
Penalties where energy supplied by or works belong to Government . . . . . „ s.49.
Saving of further liabilities . . . . . „ s.48..
Restriction on prosecution . . . . . „ s.50..

4. Miscellaneous.

Undertaking; whether it includes any generating station to be declared in license . . . . . „ s.3(2)(*d*)(*ii*)..
Exemption of electric supply lines, apparatus, etc., from seizure, etc., under process of Civil or Insolvency Courts . . . „ s.25.
Non-licensees; restrictions on supply, transmission and use of energy by . . . . . „ ss.28 to 30..
Advisory Boards; constitution and powers of; fees and expenses to be paid to members of . . . . . „ s.35..
Electric Inspectors; appointment and powers of; appeals from decisions of . . . . . „ s.36..
„ „ delegation of certain functions of Local Government to . . . . . „ s.55.
Rules . . . . . „ ss.37,38.
Arbitration; provisions for . . . . . „ s.52.
Notices, orders, etc.; service of . . . . . „ s.53.
Recovery of fees and other sums under Act . . . . „ s.54..
Bar to suit or proceeding for thing done in good faith under Act . „ s.56.
Saving of terms of license or agreement duly granted or made prior to Act . . . . . „ s.58(2)..
Testing and inspection of works; plan of area of supply . . „ Sch., cls. XIII to XVI.
Vessels propelled by electricity. *See* MERCHANT SHIPPING, 11 (*c*); INLAND STEAM-VESSELS ACT, 1884.
See also MINES.

ELEPHANTS PRESERVATION ACT, 1879 . } (*See* ELEPHANT) Act6,1879.
„ „ „ (AMENDMENT) ACT, 1883 . . . . } (*See* ELEPHANT) Act2,1883.

ELEPHANT.[1]
Killing, injuring or capturing elephants prohibited, except in defence of person or property or under license . . . Act6,1879,ss.3,6.
Destruction of elephants prohibited, except—
in defence of person or property . . . . . Mad.Act1,1873,s.2.

[1] Act 6, 1879, extends to the Sambalpur District (Bengal), Lower Burma, the Central Provinces, Coorg, and the United Provinces, and may be extended to other areas by notification.

ELEPHANT—*contd.*

Destruction of elephants prohibited, except—*contd.*

male elephants, under license . . . . . Mad.Act1,1873,ss.2,4.

" " by landholder on his own waste or forest land " ss.2,5.

Grant of licenses to kill or capture . . . . . Act6,1879,ss.5,6.

" " to shoot male elephants on Government waste or forest land . . . . . Mad.Act1,1873,ss.7,8.

Elephants captured, and tusks of elephants killed, by unlicensed person to be Government property . . . . . Act6,1879,s.4.

Revenue, Police and Forest Officers may require production of license . . . . . " s.8.

Penalties . . . . . " ss.7,8. Mad.Act1,1873,ss.3,4,7.

Limitation of prosecutions . . . . . Act6,1879,s.9. Mad.Act1,1873,s.9.

Recovery of license-fees . . . . . Act6,1879,s.10.

See also FOREST, 6; STREETS, THOROUGHFARES AND PUBLIC PLACES.

EMBANKMENT ACT (BENGAL), 1873 . . . . . Ben.Act6,1873.

" " " 1882 . . . . . Ben.Act2,1882.

" " (BURMA), 1877 . . . . . Act13,1877.[1]

EMBANKMENT.

1855. Act 32 (Embankments, Orissa and Sundarbans).

1866. Ben. Act 7 (Embankments, Orissa and Sundarbans: acquisition of land).

1873. Ben. Act 6, ss. 1, 2, 12, 13, 21, 26 to 29, Schs. B, C, D, E (Embankments; Bengal, except Orissa and Sundarbans).

1874. Act 15, s. 6 (Laws Local Extent).

[1] 1877. Act 13 (Embankments, Lower Burma).

1882. Ben. Act 2 (Embankments; Bengal, except Sundarbans).

[2] 1909. Bur. Act 4 (Embankments, Burma).

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

A.—ORISSA AND SUNDARBANS . . . . . B.—ELSEWHERE . . . . . 1. Preliminary. 2. Management, Construction and Maintenance. 3. Supplemental.

II.—BURMA:

A.—GENERALLY.

B.—LOWER BURMA.

III.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB.

Definitions of. *See* WORDS AND PHRASES.

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

A.—ORISSA AND SUNDARBANS.

1. Preliminary.

Act 32, 1855, declared in force throughout Bengal (except Sambalpur District) and Eastern Bengal, except as regards the Scheduled Districts . . . . . Act15,1874,s.6.

Act 32, 1885, and Ben. Act 7, 1866, repealed, except in Orissa and Sundarbans . . . . . Ben.Act6,1873,ss.1,2.

[1] Act 13, 1877, will be repealed on the coming into force of Bur. Act 4, 1909; *see* ss. 1, 2.
[2] Bur. Act 4, 1909, will come into force when notified.

EMBANKMENT—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

A.—ORISSA AND SUNDARBANS—*contd.*

1. **Preliminary**—*contd.*

Definition of "embankment" and "public embankment"	Act32,1855,s.2.
" "Collector"	" s.21. Ben.Act7,1866,s.10.
" "owner"	" s.10.

2. **Management, Construction and Maintenance.**

Public embankments and water-courses, and embanked tow-paths maintained by Government, to vest in Government. Certain embankments, water-courses and embanked tow-paths to be held on behalf of Government, and other embankments and water-courses to be held by Government on behalf of interested persons	(Or.)Ben.Act2,1882,ss.4, 94.
Continued use of lands by Government, free of payment, for obtaining earth for repairs	" " ss.5,94.
Engineer's power to take earth, etc., for purposes of repairs	" " ss.34,94.
Superintendence of public embankments entrusted to Superintendent of Embankments	Act32,1855,s.3.
Power of Superintendent to direct that embankment be taken charge of by Government officers, to remove embankment, to change line of public embankment and to make new embankment; invitation and consideration of objections; appeals; bar to jurisdiction of Civil Courts	" ss.4,5.
Power of Superintendent to enlarge and maintain public embankment	" s.4,cl.4.
Expense of maintaining embankment taken over from private person to be charged to him; limit to charge	" s.6.
Compensation payable when Superintendent enlarges, changes line of, makes new, or removes, embankment:	
Claim to be considered by Revenue-authorities; restrictions on resort to Civil Courts	" s.7,cl.1.
Arbitration when to be resorted to	
Procedure for arbitration	" s.7,cls.2. to9.
Power to defer payment of compensation	" s.7,cl.10.
Reversal or alteration of award; reference to other arbitrators	" " cl.11.
Dismissal of suits against Government	" " cl.12.
Estimated value of benefit to be set off against compensation	" " cl.13.
Compensation for huts, trees or crops to be settled by Collector only	" " cl.14.
Construction of sluice in public embankment for purpose of drainage or irrigation, on application of landholders, etc.	" s.8.
Recovery, from persons other than the applicants, of part of cost of construction of such sluice; enquiry before assessing their shares; restriction on resort to Civil Courts	Ben.Act7,1866,s.6.
Opening of sluice in public embankment	Act32,1855,s.9.
Making of temporary water-course or roadway through or over public embankment; or temporary dam in embanked river	" s.10.

EMBANKMENT—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

A.—ORISSA AND SUNDARBANS—*concld.*

2. Management, Construction and Maintenance—*contd.*

Annual specifications and estimates for, and final accounts of cost of, works kept up at expense of landholders and others: preparation and examination of; disposal of objections to; appeal; recovery of cost	Act32,1855,s.11.
Removal of buildings situated between public embankment and river:	
Report by Superintendent to Collector, when former considers removal necessary	,, s.12,cl.1.
Collector to invite claims to compensation	,, s.12,cl.2.
Selection of jury to determine value of buildings and rights of claimants; award of jury; bar to jurisdiction of Civil Courts	,, s.12,cls. 3to5.
Notice to parties to receive amount awarded and remove buildings	,, s.13.
Removal by Collector in default of parties; recovery of cost; penalty for obstruction	,, ss.14,15.
Power of Superintendent of Embankments or Engineer to begin work immediately in case of grave and imminent danger to life or property; payment of compensation and restoration of embankment, etc., when immediate action determined to have been unnecessary	(Or.)Ben.Act12,1882,ss. 25,26,92,93.
Acquisition of land for purposes of Act:	
Application of Land Acquisition Act Interest payable on amount of compensation No compensation payable when Collector has not received same from person whose lands benefited	Ben.Act7,1866,s.1.
Power of Collector, after enquiry, to charge cost of acquisition on owners of lands benefited by construction, etc., of public embankment; restrictions on resort to Civil Courts; what included in cost of acquisition; recovery of cost	,, ss.2to5.
Act not to affect existing obligation to give land gratuitously or to pay for land acquired under it	,, s.9.

3. Supplemental.

Disposal of land no longer required for purposes of Act	,, s.7.
Penalty for unauthorised interference with public embankment or water-course ,, unauthorised erection, etc., of embankment, or obstruction or diversion of water-course, in notified tract	(Or.)Ben.Act2,1882,ss.76, 94.
,, wilful damage to embankment by cutting, etc.	Act32,1855,s.16.
,, wilful damage to public embankment by making obstruction, etc.	,, s.17.
Jurisdiction of Magistrates; appeal from their orders	,, ss.18,20.
Delegation of powers of Collector to Deputy Collector; appeal from order of Deputy Collector	Ben.Act7,1866,s.8.

EMBANKMENT—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

B.—ELSEWHERE.

1. Preliminary.

Ben. Act 6, 1873, repealed, except ss. 12, 13, 21 (proviso), 26 to 29, and Schs. B, C, D, E	Ben. Act 2, 1882, s. 2, Sch. I.
Ben. Act 6, 1873, ss. 12, 21, 26, amended	" s. 2, Sch. II.
Definitions	" s. 3.

2. Management, Construction and Maintenance.

Public embankments and water-courses, and embanked tow-paths maintained by Government, to vest in Government	Ben. Act 6, 1873, Sch. D.
Certain embankments, water-courses and embanked tow-paths to be held on behalf of Government, and other embankments and water-courses to be held by Government on behalf of interested persons	Ben. Act 2, 1882, ss. 2, 4, Sch. I.
Continued use of lands by Government, free of payment, for obtaining earth for repairs	" s. 5.
Execution of works at instance of Collector:	
Transfer of embankment or water-course to charge of Government officers, removal or alteration of embankment or obstruction, changing of line of, or renewing, public embankment, making of new embankment, making of sluice, making or alteration of water-course, or alteration of road interfering with drainage:	
Estimates, plans, specifications and map to be prepared, and notice issued, by Collector	" ss. 7 to 9, Sch. III.
Enquiry into objections	" s. 10.
Order after enquiry; reference to Commissioner, Board of Revenue and Local Government for sanction to execution of work; power of Local Government to dispense with reference to higher authority	" ss. 11 to 15.
Power of Collector to require that alteration of road or construction of water-course under or through road be carried out by person in charge of road; carrying out of work by Government officers in default of such person; expenses by whom to be borne	" s. 17.
Making of sluice in public embankment for purpose of drainage or irrigation, or erection, improvement, etc., of embankment or water-course, on application to Collector	" s. 18.
Removal by Collector of trees or buildings situated between public embankment and river; acquisition of land for construction, etc., of embanked tow-path; application of Land Acquisition Act	" s. 19.
Removal of trees or buildings in pursuance of Ben. Act 2, 1882, s. 19, in cases of emergency, without resorting in the first instance to the Land Acquisition Act; compensation	Ben. Act 6, 1873, s. 21, prov. Ben. Act 2, 1882, s. 2, Schs. I, II.
Reference by Collector to Commissioner where works or lands situated in different districts	" s. 20.
Appointment and functions of Embankment Committee: conduct of business; reference to Commissioner when Collector differs from Committee	" ss. 21 to 24, 90(b).

EMBANKMENT—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EATSERN BENGAL—*contd.*

B.—ELSEWHERE—*contd.*

2. Management, Construction and Maintenance—*contd.*

Procedure in case of grave and imminent danger to life or property :	
Power of Collector or Engineer to begin work without completing enquiries ; notice to be given when land situated in another district ; payment of compensation and restoration of embankment, etc., when immediate action determined to have been unnecessary	Ben.Act2,1882,ss.25to27, 29.
Power of Engineer to repair and maintain public embankments, public water-courses, etc.	,, s.30.
Making of temporary road-way or water-course over or through public embankment, or temporary dam in embanked river or public water-course, on application to Engineer . . .	,, s.31.
Opening and shutting of sluice in public embankment . .	,, s.32.
Engineer's powers of entry, survey, etc. : notice of entry ; payment to be made for damage done	,, s.33.
Engineer's power to take earth, etc., for purposes of repairs ; compensation for crops ; acquisition of land	,, ss.34to36.
Engineer's powers subject to control of Collector . . .	,, s.28.
Application of Land Acquisition Act when land required for purposes of Act	,, s.37.
Acquisition of land and earth in pursuance of Ben. Act 2, 1882, s. 25 or s. 30, in cases of emergency, without resorting in the first instance to the Land Acquisition Act ; compensation .	Ben.Act6,1873,ss.12,13. 26to29,Schs.B,C, Ben.Act2,1882,s.2,Schs.I, II.
Compensation for injury caused in execution of Act :	
When claimable	Ben.Act2,1882,s.38.
Limitation of claims	,, s.39.
Procedure for determining amount and person to whom payable ; matters to be considered	,, ss.40,41.
Cost of works :	
To be paid, in the case of certain embankments, wholly or partly by Government	Ben.Act6,1873,Schs.D,E. Ben.Act2,1882,ss.2,42to 46,Sch.I.
Procedure when payment to be made by zamindar :	
Specifications and estimates to be prepared by Engineer and sent to Collector	Ben.Act2,1882,ss.47to49.
Notice of such specifications and estimates ; disposal of objections	,, s.50.
Accounts of actual expenses ; certificates and statements as to lands benefited, etc.	,, s.51.
Notice of such accounts, certificates and statements ; disposal of objections	,, s.52.
Collector to make an order specifying total sum payable ; order when to be served on persons liable to pay . .	,, s.53.
Zamindar's liability to pay	Ben.Act6,1873,Sch.E. Ben.Act2,1882,ss.2,51,54. Sch.I.
Recovery by zamindar or tenure-holder of share of cost apportioned to under-tenant	Ben.Act2,1882,ss.55,74.

EMBANKMENT—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*concld.*

B.—ELSEWHERE—*concld.*

2. Management, Construction and Maintenance—*concld.*

Procedure when payment to be made by zamindar—*contd.*

Notice of amount payable and of apportionment thereof between zamindars; procedure for making apportionment; amount apportioned how payable; interest chargeable	Ben. Act 2, 1882,	ss. 56 to 62.
Alternative power of apportioning estimated expenditure for a series of years; notice; disposal of objections; amount apportioned how payable; interest chargeable	,,	ss. 63 to 67.
Final order of apportionment, specifying estates, sums payable, dates of payment, etc.; making, and giving notice of, order	,,	ss. 68, 69.
Procedure for recovery of sums payable	,,	ss. 70, 73.
Separate liability, etc., when separate account opened under Act 11, 1859, Ben. Act 7, 1876, section 70, or Ben. Act 9, 1880	,,	s. 71.
Sums payable first charge on estate; charge not avoided by sale and joint liability not affected by partition of estate	,,	s. 72.

3. Supplemental.

Disposal of land no longer required for purposes of Act; application of proceeds	,,	s. 87.
Penalty for obstructing person in execution of Act	,,	s. 75.
,, unauthorised interference with public embankment or water-course	,,	s. 76(*a*).
,, unauthorised erection, etc., of embankment, or obstruction or diversion of water-course, in notified tract	,,	ss. 6, 76(*b*).
,, unauthorised cutting through or destroying public embankment, or opening or shutting sluice, etc.	,,	s. 77.
,, unauthorized diverting of water-course, removal of earth from public embankment, grazing of cattle on public embankment, etc.	,,	s. 78.
Removal of obstruction, or repair of damage, on conviction of offender	,,	s. 79.
Publication of proclamations and notices	,,	s. 80.
Service of notices and orders	,,	s. 81.
Powers of Collector and Commissioner for taking evidence	,,	s. 82
Mistakes in form not to invalidate proceedings	,,	s. 83.
Delegation of powers of Collector to Deputy Collector	,,	s. 88.
Appeals from orders when to lie; limitation; control of Local Government; Board of Revenue and Commissioners	,,	ss. 84 to 86, 88, 90(*c*).
Jurisdiction of Magistrates	,,	s. 89
Rules, making and publishing of	,,	s. 90.
Act not to apply to embankments, lands or water-courses which are subject to certain other Acts	,,	s. 91.

II.—BURMA.

A.—GENERALLY.

Burma Embankment Act, 1909, to come into force on notification	[1]Bur. Act 4, 1909,	s. 1.

[1] Bur. Act 4, 1909, will come into force when notified.

EMBANKMENT—*concld.*

II.—BURMA—*contd.*

A.—GENERALLY—*contd.*

Definitions	Bur.Act4,1909,s.3.	
Power to impress labour and take materials when speedy execution of work required to prevent loss of life or extensive damage to property; headmen of villages, duties of	,,	s.5.
Preparation and revision of list of labourers	,,	s.4.
Payments to be made for labour impressed and materials taken	,,	s.6.
Compensation to be paid for damage done in taking materials	,,	s.7.
Penalty for failure to furnish labourers or to labour	,,	s.8.
Penalties for grazing, trespass, cutting of trees, etc., on embankment, obstructing drain or sluice connected with embankment, constructing, maintaining, etc., without permission, dyke, embankment, etc.	,,	ss.9,10.
Removal of dyke, embankment, etc., constructed, etc., without permission	,,	s.11.
Embankment Officers and certain other persons deemed public servants	,,	s.12.
Power to make rules	,,	ss.13,14.

B.—LOWER BURMA.

Definition of "embankment" and "Embankment Officer"	[1]Act13,1877,s.2.	
Power to impress labour and take materials when speedy execution of work required to prevent loss of life or extensive damage to property	,,	s.3.
Preparation and revision of list of labourers	,,	s.4.
Payments to be made for labour impressed and materials taken	,,	s.5.
Compensation to be paid for damage done in taking materials	,,	s.6.
Penalty for grazing, trespass, cutting of trees, etc., on embankment, or obstructing drain or sluice connected with embankment	,,	s.7.
Embankment Officers and others deemed "public servants"	,,	s.8.

III.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB.

Embankments to be under control of District and Local Boards	Act20,1883,ss.20,21.	

EMIGRATION ACT (INDIAN), 1908 . . . . . Act17,1908.

EMIGRATION.

A.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN FOREIGN COUNTRIES.

B.—TO LABOUR-DISTRICTS OF ASSAM.

A.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN FOREIGN COUNTRIES.

1. Preliminary.

Act 17, 1908, extends to whole of British India	Act17,1908,s.1.	
,, ,, does not apply to Government vessels	,,	s.108.
,, ,, applies to emigration of natives of India by sea under agreement to labour for hire in countries beyond India other than Ceylon or Straits Settlements	,,	2(*1*)(*iv*).

[1]Act 13, 1877, will be repealed on the coming into force of Bur. Act 4, 1909.

EMIGRATION—*contd.*

A.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN FOREIGN COUNTRIES—*contd.*

1. Preliminary—*contd.*

Power to exempt from Act natives of India emigrating by sea under agreement to labour for hire in protected Native State adjoining Straits Settlements or in country for which they are recruited through the agency of the Government of those Settlements . . . . . Act 17, 1908, s. 103.

Application of Act to—

emigration from British Indian ports to French and Dutch Colonies under certain Conventions . . . . . ,, s. 104.

proceedings in British India connected with emigration from French Indian ports to French colonies under Convention . ,, s. 105.

Prohibition of departure by land of native of India under agreement to labour for hire in country beyond sea; exceptions; penalty . . . . . ,, s. 106.

Power to declare Act inapplicable to natives of India engaged for Her Majesty's Government to labour for hire in any country beyond the sea . . . . . ,, s. 107.

Ports from which emigration lawful . . . . . ,, s. 3.

Countries to which emigration lawful . . . . . ,, s. 4, Sch. I.

Power of Governor General in Council—

to prohibit emigration to specified country . . . . . ,, s. 5 (sub. Act 14, 1910, s. 2).

to revoke such prohibition . . . . . Act 17, 1908, s. 7.

Power of Local Government to suspend emigration to specified country pending reference to Governor General in Council . ,, s. 6.

Power of Local Government to prohibit emigration from its territories . . . . . ,, s. 8.

Notifications under ss. 5 to 8 not to affect prior Acts, etc. . . ,, s. 9.

Definitions . . . . . ,, s. 2.

2. Protection of Emigrants.

(1) Official Supervisors:

Emigration Agent; appointment of, by foreign country, subject to approval of Local Government . ,, s. 10.

,, ,, how remunerated . . . . . ,, s. 11.

Protector of Emigrants; appointment of, by Local Government; his status, etc. . . . . ,, s. 12.

,, ,, general duties of . . . . . ,, s. 13.

Medical Inspector of Emigrants; appointment of, by Local Government; his status . . . . . ,, s. 14.

Facilities to be afforded to Protector and Medical Inspector . ,, s. 15.

(2) Recruiters:

Licensing of . . . . . ,, ss. 16 (1), (3), 17, 18, Sch. II.

Countersignature of license by District Magistrate . . . ,, ss. 19 to 21.

Unlicensed persons not to act as . . . . . ,, s. 16 (2).

EMIGRATION—*contd.*

A.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN FOREIGN COUNTRIES—*contd.*

2. Protection of Emigrants—*contd.*

(2) Recruiters—*contd.*

To have and use statement of terms of agreement they are authorised to offer to emigrants . . . . . Act 17, 1908, s.22.

To provide accommodation for emigrants pending their registration, etc.; official control over places of accommodation " s.23.

(3) Registration of emigrants and execution of agreements to emigrate . . . . . " 24 to 27, 31 to 36.

Power to refuse registration of married woman or dependent . " ss.28 to 30.

Persons of or over 16 may execute agreement . . . " s.35.

Power of parent or guardian to make agreement on behalf of minor . . . . . " s.36.

(4) Emigration depôts:

Establishment and licensing of . . . . . " ss.37,38.

Inspection of, and reports as to . . . . . " ss.39,40.

Isolation in, or removal from, of emigrants suffering from infectious disease; recovery of expenses from Emigration Agent . . . . . " s.41.

Conveyance of emigrants to . . . . . " ss.42,43.

Report of arrivals at . . . . . " s.44.

Medical inspection on arrival at . . . . . " s.45.

(5) Compensation to emigrants for ill-treatment, etc.:

Power to order Emigration Agent to pay—

compensation and expenses, when emigrant has been ill-treated, etc., on journey . . . . . " s.48.

expenses of return journey of emigrant and dependents to their home, with compensation, in cases of irregularity in recruitment, etc. . . . . " ss.46,47.

Power for Protector of Emigrants to make such payments and recover from Emigration Agent . . . . . " s.49.

(6) Emigrant-vessels:

Licensing and survey of . . . . . " ss.50 to 52.

Accommodation required on board . . . . . " s.53.

Space required for each emigrant . . . . . " s.54.

Provisions, clothing, fuel and water for emigrants . . . " ss.55,57.

Surgeon, medical attendants and medical stores . . . " ss.56,57.

Bond to be executed by master . . . . . " s.58.

Seasons in which vessels may leave India . . . . . " s.60.

Scale of probable lengths of voyages for purposes of Act; power to alter scale . . . . . " s.102, Sch. III.

Embarkation of emigrants . . . . . " ss.59, 61 to 65.

" " fee payable by Agent to Protector . " s.68.

Certificates from Protector and Agent to be carried by . . " s.66.

Copies of Act and rules to be kept on board . . . . " s.67.

Master to see to observance of Act and rules . . . . " s.69.

" to take emigrant's pass on embarkation and return it to him before disembarkation . . . . " ss.62,70.

EMIGRATION—*contd.*

A.—OF NATIVES OF INDIA UNDER AGREEMENT TO LABOUR FOR HIRE IN FOREIGN COUNTRIES—*concld.*

2. Protection of Emigrants—*concld.*

(6) Emigrant-vessels—*contd.*

Vessels sailing from Calcutta :

To leave within 24 hours of embarkation	Act 17, 1908, s. 71.
To be towed to sea	" s. 72.
Landing of sick emigrants at Diamond Harbour	" s. 73.
Landing of all emigrants at Diamond Harbour, if cholera appears	" s. 74.

3. Miscellaneous Provisions.

Provisions for the departure of natives of India by sea out of India for purpose of working as artisan or for purpose of any exhibition, etc.; service in place of public resort, or domestic service	" ss. 75 to 80.
Power of Governor General in Council to make rules; publication of rules	" s. 81.
Offences and penalties	" ss. 82 to 96.
Initiation of prosecutions	" s. 97.
Defences to charge of desertion	" s. 98.
Power of Customs-officers to search and detain vessels for prevention of offences	" s. 99.
Power to appoint Magistrates	" s. 100.
Power of Protector to institute suit against Emigration Agent	" s. 101.

B.—TO LABOUR-DISTRICTS OF ASSAM.

1. Preliminary.

Local extent of Act 6, 1901	Act 6, 1901, s. 1.
Definitions	" s. 2.
Power of Local Government to prohibit recruitment, etc., either absolutely or otherwise than in accordance with specified provisions of Act 6, 1901	" s. 3.
Officers : power of Local Government to appoint, and to declare areas for exercise of their functions	" s. 4(*1*).
" duties of Assistant Inspectors	" s. 219.
" powers of, exerciseable from time to time	" s. 220.
" to be "public servants" under Indian Penal Code	" s. 4(*2*).

2. Labour-contracts generally.

Contract; form and contents of	" s. 5(*1*), (*2*), Sch. I.
" term of	" ss. 5(*3*), 118.
" rate of wages to be stipulated for in	" s. 5(*4*).
" unenforceable if made contrary to s. 5	" s. 6.
" underground labour in mine not obligatory unless specifically provided for in	" s. 7.
" in absence of special restriction, covers labour on any estate of employer in the labour-district specified in; bar to separation from dependants	" s. 8.

EMIGRATION—*contd.*

B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*

2. Labour-contracts generally—*contd.*

Contract; may be made by any person of 16 or upwards; exception as to married woman whose husband or guardian objects . . . . . Act6,1901,s.9.
cancellation of, in case of wrongful recruitment . „ ss.10,11.
„ repatriation of labourers on; escort; recovery of expenses . . . „ ss.12,13.

3. Recruitment.

(*a*) By Licensed Contractors, Sub-contractors and Recruiters.

Contractors and sub-contractors—
Licenses of; power to grant . . . . . „ s.14.
„ form of, and fee for . . . . . „ s.15.
„ term of; cancellation of, subject to appeal . „ s.16.
May act as recruiters . . . . . „ s.19.
Contractors to supply information, returns and reports to Superintendent . . . . . „ s.17.
„ liability of, for acts and defaults of sub-contractors and recruiters . . . . . „ s 20.
„ cancellation of license of, on cancellation of license of his sub-contractor or recruiter . . . „ s.20(*2*).
„ not to be licensed as Selecting Agents . . . „ s.65.
Sub-contractor to be licensed on behalf of one contractor only . „ s.18.
Recruiters; contractors or sub-contractors may act as . . „ s.19.
„ licenses of; power to grant . . . . . „ s.25.
„ „ to be granted on behalf of one contractor only, and for one district only . . . . . „ s.25,prov.
„ „ form of, and fee for . . . . „ s.26.
„ „ term of, and cancellation of . . „ s.27.
„ „ countersignature of, by Magistrate . „ s.29.
„ „ power to cancel such countersignature . „ s.31.
„ to hold certificate signed by their contractor or sub-contractor . . . . . „ s.28,
„ accommodation for labourers collected by . . „ ss.29(*2*), 30,31.

Contractors' depôts for labourers engaged by contractors, sub-contractors or recruiters—
Contractors to establish and maintain depôts, and to provide food, clothing and medical treatment therein for labourers . „ s.21.
Inspection and supervision of depôts . . . . . „ s.22.
Procedure before arrival at depôt—
Recruiter to take labourer to medical officer for examination „ s.32(*1*).
Grant of certificate of fitness by medical officer . . . „ s.32(*2*).
Recruiter to take certified labourer and his dependants to Registering-officer, and to produce his license . . . „ s.33.
Registering officer to examine certificate and license, and examine labourer and explain intended contract to him . „ s.34(*1*).

EMIGRATION—*contd.*

B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*

3. Recruitments—*contd.*

(*a*) By Licensed Contractors, Sub-contractors and Recruiters—*contd.*

Contractors' depôts for labourers engaged by contractors, sub-contractors or recruiters—*contd.*

Procedure before arrival at depôt—*contd.*

Registration of labourer and dependants; special provisions as to women	Act 6, 1901, s.34(*2*), (*3*), (*4*).
Repatriation of labourers whose registration is refused; escort; recovery of expenses	" s.35.
Copy of registered particulars to be given to labourer	" s.36.
Copy of registered particulars and original medical certificate to be sent to Superintendent	" s.37.
Fee for registration	" s.38.
Recruiter not to remove labourer to depôt, or from Registering-officer's jurisdiction, until registered	" s.39.
Conveyance of labourer to depôt; labourer and dependants to be provided with food and lodging	" ss.40,41.

Procedure at depôt—

Contractor to report arrival of labourer	" s.42.
Medical Inspector to examine labourers and dependants, and give certificate to Superintendent	" s.43.
Labourer when to execute labour-contract	" s.44.
Superintendent to explain labour-contract to labourer, and to attest and register it and give copies to labourer and employer	" s.45.
Procedure where employer requires further medical certificate prior to execution of labour-contract	" s.46.
Fee where such further certificate is given by a medical officer of Government	" s.47.
Power to cancel labour-contract in certain cases; repatriation of, and compensation to labourer; labourer entitled to be fed, lodged, clothed and medically treated until he can return home; provision for dependants and relatives	" ss.48 to 50.
Compensation to labourer or dependant ill-treated on journey to depôt	" s.51.
Procedure when dependant is unfit to proceed to labour-district	" ss.52,53.
Payment by Superintendent of expenses under sections 48 to 53, and recovery from contractor	" s.54.

Hospital depôts—

Power of Local Government to establish	" s.23.
" " " require contractors to contribute towards maintenance of	" s.24(*1*).
To be under charge of medical officer appointed by Local Government	" s.24(*2*).
Power of Medical Inspector to direct transfer of labourer from contractor's depôt to	" s.24(*3*).

EMIGRATION—*contd.*

B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*

3. Recruitment—*contd*

(*a*) By Licensed Contractors, Sub-contractors and Recruiters—*contd.*

Journey from contractor's depôt to labour-district—
Labourers to be accompanied by contractor's agent, holding certificate from Superintendent; agent to carry way-bill and carry out instructions contained therein . . . . . Act 6, 1901, s. 55.

(*b*) By Certified Garden-sardars under control of Local Agents.

Garden-sardars—
Certificate of; power of employer to grant and cancel . . . s. 55(1).
" employment under, to be deemed employment under labour-contract . . . . . " s. 56(2).
" form and content of . . . . . " s. 57.
" countersignature of, by Inspector or Magistrate . . . . . " ss. 58, 59, 61.
" grant of fresh certificate . . . . . " s. 60.
" when to come into force; currency limited to one year . . . . . " s. 61.
" cancellation of . . . . . " s. 63.
Accommodation to be provided by, for labourers; inspection of accommodation; sanitary arrangements . . . " s. 62.
Power of local agents to prosecute . . . . . " s. 66.

Local Agents—
Name of, may be specified in garden-sardar's certificate . " s. 57(2)
Licenses of; power to grant . . . . . " s. 64(1).
" " cancel, subject to appeal . . . " s. 67.
To furnish information and returns . . . . . " s. 64(2).
Not to be licensed as selecting agents . . . . . " s. 65.
Power of, to prosecute garden-sardars . . . . . " s. 66.

Selecting Agents—
Power to grant licenses to; duration and cancellation of licenses . . . . . " s. 65.

Procedure on recruitment by garden-sardars—
Garden-sardar to appear before Registering-officer, with labourer and dependants . . . . . " s. 68.
Registering-officer to examine certificate and examine labourer and explain intended contract to him . . . . . " s. 69(1).
Registration of labourer and dependants . . . . . " s. 69(2).
Medical examination before registration; power to refuse registration . . . . . " s. 70.
Fee for registration . . . . . " s. 71.
Labour-contract when to be executed . . . . . " s. 72(1).
" " signature to; explanation of, to labourer . " s. 72(2).
" " registration of; copy of, to be given to labourer and to garden-sardar or local agent " s. 72(3).
" " compensation to labourer where garden-sardar neglects to execute . . . . . " s. 72(4).

EMIGRATION—*contd.*

B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*

3. Recruitment—*contd.*

(*b*) BY CERTIFICATED GARDEN-SARDARS UNDER CONTROL OF LOCAL AGENTS—*contd.*

Procedure on recruitment by garden-sardars—*contd.*

Procedure where employer requires medical certificate prior to registration	Act 6, 1901, s. 73.
Fee when such certificate is given by a Medical Officer of Government	,, s. 74.
Garden-sardar not to remove labourer to labour-district until labour-contract executed	,, s. 75.
,, ,, to accompany labourers to labour-district or send competent person with them; way-bill	,, ss. 76, 78, 79.
,, ,, no restriction on number of persons engaged by	,, s. 77.
,, ,, to provide labourers and dependants with food and lodging throughout journey to labour-districts	,, s. 80.
When labourer or dependant ill-treated on journey, power of Magistrate to order compensation or to cancel labour-contract and order payment of expenses	,, s. 81.
Payment by Magistrate of sums ordered under s. 81, and recovery thereof from garden-sardar	,, s. 82.
Medical examination of labourers and dependants *en route* to labour-district; detention of any unfit to proceed; disposal of others; payment of expenses by employer	,, ss. 83 to 86.
Right of employer to procure cancellation of labour-contract on payment of expenses of repatriation, with compensation	,, s. 87.
Consequential cancellation of contracts of relatives and dependants	,, s. 88.
Payment of cost of escort when labour or dependant repatriated	,, s. 89.
Power of Local Government to dispense with or relax any of the foregoing requirements in certain cases	,, s. 91 (am. Act 11, 1908, s. 2).

(*c*) BY GARDEN-SARDARS UNDER PERMIT.

Power of Local Government to declare that specially employed garden-sardars may engage labourers on behalf of their employers and assist them to emigrate to labour-district	,, s. 90.
Permits to be held by such garden-sardars; grant of; form and contents of; countersignature of, by Inspector or Magistrate	,, s. 90, cls. (*a*) to (*d*).
Engagement of labourers by such garden-sardars: reports to be made by sardars; escort for labourers	,, s. 90, cls. (*e*) to (*g*).
Duration and cancellation of permits	,, s. 90, cls. (*h*), (*i*).
Power of Local Government to dispense with or relax any of the foregoing agreements in certain cases	,, s. 91 (am. Act 11, 1908, s. 2).
Certain provisions of Act to apply to transport and employment of labourers recruited by garden-sardars under permit and not bound by labour-contracts	,, s. 93.

EMIGRATION—*contd.*

B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*

3. Recruitment—*concld.*

(*d*) OTHER RECRUITMENT.

Saving of right to engage or assist natives of India to emigrate to labour-districts otherwise than under head 3, sub-heads (*a*), (*b*) and (*c*), unless prohibited by notification under s. 3 of Act . . . Act 6, 1901, s. 92.

4. Transport to Labour-districts.

Prescribed routes to be followed, and rules observed . . . „ s. 94.

Transport by sea not covered by Act 6, 1901 . . . . . „ s. 95.

Transport by river—

Vessels carrying twenty or more passengers to be licensed; power of exemption . . . . . „ s. 96.

Application for, and grant of, such license; fee . . . ss. 97 to 99.

Power of Embarkation Agent to limit number of passengers on particular voyage . . . . . „ s. 100.

Master of vessel to keep prescribed lists and make prescribed returns and reports . . . . . „ s. 101.

Prescribed provisions, clothing, officers, cooks and attendants to be carried . . . . . „ s. 102.

Medical officer of vessel; licensing and removal of . . . „ s. 103.

Power of Embarkation Agent to order immediate departure of vessel, if delayed . . . . . „ s. 104.

Way-bills to be carried, and labourers checked by them; copy to be sent to Magistrate of labour-district . . . . . „ s. 105.

Labourers not to leave vessel before arrival at destination; exceptions . . . . . „ s. 106.

Master to stop vessel at appointed places, and report to Magistrate there . . . . . „ s. 107.

Power of any Magistrate—

to inspect vessel, and to require information . . . . „ s. 108.

to regulate communication between vessel and land . . . „ s. 109.

to detain vessel, to depute medical officer to inspect passengers, to detain passengers suffering from infectious disease, and labourers and dependants unfit to proceed, and to detain vessel for cleansing . . . . . „ ss. 110 to 112.

to detain passengers carried in excess of authorized number . „ s. 113.

Magistrates to report infractions of Act or rules, and may detain vessels until defects remedied . . . . . „ s. 114.

Power to authorize officers to perform functions of Magistrates under sections 107 to 114 . . . . . „ s. 116

Power of Local Government to make rules as to disembarkation, inspection and accommodation of labourers and dependants, forwarding of labourers to destination, and closing and return of way-bills . . . . . „ s. 115

5. The Labour-districts.

Annual rate payable by employers: when payable; amount . . „ s. 117.

Local labour-contracts—

For term not exceeding one year—

Power to employer to make . . . . . „ s. 118(*1*).

EMIGRATION—*contd.*

B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*

5. The Labour-districts—*contd.*

Local labour-contracts—*contd.*

For term not exceeding one year—*contd.*

Inspector to register, and to give copy to labourer and employer . . . . . Act 6, 1901, s.118(2).

Verification and cancellation of . . . . . „ ss.119, 120.

Fee payable to Inspector . . . . . „ s.121(4).

For term not exceeding four years—

Power of employer to make, before Inspector or Magistrate . „ s.121(1), (2).

Inspector or Magistrate to register, and to give copy to labourer and employer . . . . . „ s.121(3).

Fee payable to Inspector . . . . . „ s.121(4).

Returns and inspections—

Employers to keep registers of employés and dependants, and make returns to Inspector . . . . . „ s.122(1).

Powers of Inspector as to such registers and returns . . „ s.122(2).

Power of Inspector or Magistrate to inspect lands, houses and labourers, to call for copy of labour-contract, and to make inquiries . . . . . „ s.123.

Regulation of labour—

Schedule of daily tasks—

preparation and alteration of . . . . . „ s.124(1).

filing, translation and inspection of . . . . . „ ss.124(2), 127(2).

revision of, by Inspector, subject to appeal to Committee . „ ss.126, 127.

Minimum payment for daily task . . . . . „ s.124(3).

Limitation on days and hours of work . . . . . „ s.125(1).

Right of labourer to minimum daily wage . . . . „ s.125(2).

Monthly payment of wages . . . . . „ s.125(3).

Subsistence-allowance for weekly labourers . . . . „ s.128.

Incapacity for labour—

Power of Inspector to suspend contract of labourer temporarily unfitted for labour, and to order payment of subsistence-allowance . . . . . „ s.129.

Subsistence-allowance to labourer absent from sickness . „ ss.129, 130, 131(3).

Discharge of labourer permanently incapacitated, and determination of his contract; payment of compensation . . . „ s.131.

Accommodation and supplies for labourers—

Provision of house-accommodation, water-supply and sanitary arrangements . . . . . „ s.132.

Provision of food-grain at reasonable price . . . . „ s.133

„ rations, and deduction of cost from wages . . „ s.134.

Official inquiry as to whether rules or orders made under ss. 132 to 134 have been obeyed . . . . . „ s.136.

Provision of hospital accommodation and medical treatment . „ s.135.

EMIGRATION—*contd.*

B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*

5. The Labour-districts—*contd.*

Localities unfit for residence of labourers—

Committee of inquiry where estate considered unfit for residence of labourers—

Summoning of, at instance of Inspector or District Magistrate . . . . . Act 6, 1901, s.137(*1*), (*2*).

Constitution of . . . . . „ s.137(*3*), (*4*).

Summoning of, by direction of Local Government . . „ s.138.

Proceedings of . . . . . „ s.139.

Finding of, and consequences of finding . . . . . „ s.140.

Power of Local Government to call for proceedings of, and to record finding where Committee is not unanimous . „ s.141.

Inquiry by medical officer where excessive mortality has occurred—

Power to depute medical officer to inquire and report . . „ s.142.

Proceedings of such officer . . . . . „ s.143.

Order thereon by Local Government; effect of order . . „ s.144.

Certificate by Inspector where locality has again become fit for residence of labourers; grant and effect of . . . . . „ s.145.

Complaints made by labourers—

Facilities for laying complaints before Inspector or Magistrate „ s.146.

Inspector or Magistrate how to proceed when complaint is made, or when he considers that there is ground for complaint . . . . . „ s.147.

Procedure where complaint is found to be untrue, frivolous or vexatious: compensation to employer . . . „ ss.148, 149.

Procedure where complaint discloses grounds for further proceedings . . . . . „ s.150.

Arrears of wages—

Power of Magistrate to enforce payment of arrears, and to award compensation . . . . . „ ss.151, 152.

Determination of labour-contract—

By cancellation (local labour-contracts) . . . . . „ ss.119, 120.

When labourer discharged permanently incapacitated . . „ ss.131, 158.

By cancellation, when employer or his agent in fault . . „ s.152.

„ „ „ labourer's earnings are insufficient . „ s.153.

„ „ „ when contract of relative is cancelled or determined . . . . „ s.154.

Endorsement or certificate of, by employer . . . . „ s.155(*1*).

Notice of, by employer to Inspector . . . . . „ s.155(*2*).

Right of labourer to redeem unexpired portion of labour-contract; procedure; rates of payment . . . . . „ s.156.

Power of Inspector or Magistrate to equalize terms of contracts of husband and wife . . . . . „ s.157.

Repatriation—

of labourer permanently incapacitated whose contract has determined under s. 131 . . . . . „ s.158

EMIGRATION—*contd.*

B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*

5. The Labour-districts—*concld.*

Repatriation—*contd.*

of person not under labour-contract, or dependant, who is permanently incapacitated	Act 6, 1901,	s.159.
of labourer wrongfully recruited, and of his dependants	,,	s.160.
of person, not under labour-contract, wrongfully recruited, and of his dependants	,,	s.161.
Provision of escort	,,	s.162.
Power to exempt labour-districts from operation of Act	,,	s.221.

6. Rules under Act.

Power of Local Government to make rules—

as to form of, and fee payable for licenses of—		
Contractors and sub-contractors	,,	s.15.
Recruiters	,,	s.26.
,, supply of information, returns and reports by contractors to Superintendent	,,	s.17.
,, registration of labourers and dependants	,,	ss.34(2), 69(2).
,, ,, ,, ,, ,, fee for	,,	ss.38,71.
,, form and particulars of notice of arrival of labourers at contractors' depôts	,,	s.42.
,, information and returns to be furnished by—		
Local Agents	,,	s.64(2).
Selecting Agents	,,	s.65.
,, fee for examination of labourers by medical officer of Government	,,	s.74.
,, form of garden-sardars' permit	,,	s.90, cl.(a).
,, particulars to be stated in application for license to carry passengers in vessels	,,	s.97(2).
,, fee for license for vessel to carry passengers	,,	s.99.
,, number of passengers to be carried in vessel	,,	s.100(1).
,, lists to be kept and returns and reports made by master of vessel	,,	s.101.
,, provisions, clothing, officers, cooks and attendants to be carried in vessel	,,	s.102.
,, disembarkation, inspection and accommodation of labourers and dependants, forwarding of labourers to destination, and closing and return of way-bills	,,	s.115.
,, registers of employés and dependants and returns to be made by employers to Inspectors	,,	s.122(1).
,, house accommodation, water-supply and sanitary arrangements for labourers	,,	s.132.
,, rationing	,,	s.134.
generally, for carrying out purposes and objects of Act	,,	s.163(1),(2).
Enforcement of rules at cost of person bound	,,	s.163(3).
Power to provide penalty for breach of rules	,,	s.163(4).
Publication of rules in Gazette	,,	s.163(5).

EMIGRATION—*contd.*

B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*

7. Penalties and Procedure.

Penalty on—

employer omitting to keep registers or make returns, keeping incorrect register, making incorrect return, or omitting to prepare, file or affix schedule of daily tasks	Act 6, 1901,	s.185.
,, obstructing entry, inspection or inquiry or omitting to comply with requisition, made under s. 123	,,	s.186.
,, compelling labourer to perform labour for which he is unfit	,,	s.186.
,, omitting to provide house-accommodation, water-supply, sanitary arrangements, food-grains or rations	,,	s.189.
,, failing to provide hospital accommodation or medical care and treatment	,,	s.190.
,, causing labourer to reside on estate declared unfit for residence	,,	s.191.
,, wrongfully arresting labourer on charge of desertion	,,	s.199.
,, neglecting to endorse labourer's copy of contract ,, detaining labourer after determination of contract ,, failing to give notice to Inspector of determination of contract	,,	s.211.
,, failing to comply with request by labourer to secure redemption of unexpired portion of contract	,,	s.212.
garden-sardar failing to report himself to local agent, or to return to employer, or to account for money advanced	,,	s.170.
,, or other person abandoning labourer, or removing person to labour-district, etc., before execution of labour-contract	,,	s.171.
,, transferring labourers to contractors, etc. ,, allowing labourers recruited by contractors, sub-contractors or recruiters to share accommodation provided by him	,,	s.172.
,, or other person failing to present way-bill or to carry out instructions entered therein	,,	s.173.
,, unlawfully engaging emigrants	,,	s.174.
labourer failing to execute labour-contract; payment of fine to contractor, sub-contractor, recruiter or garden-sardar	,,	ss.168,169.
,, deserting, or refusing to proceed, after executing labour-contract	,,	s.184.
,, absenting himself from work	,,	s.193.
,, deserting	,,	s.198.
,, for habitual drunkenness or for neglect of sanitary regulations	,,	s.201.
Local Agent or Selecting Agent working with contractor	,,	s.175.
Master receiving passengers on board in contravention of Act	,,	s.176
,, fraudulently altering vessel after grant of license	,,	s.177.
,, proceeding on voyage without carrying prescribed provisions, clothing, officers, cooks or attendants	,,	s.178.

EMIGRATION—*contd.*

B.—TO LABOUR-DISTRICTS OF ASSAM—*contd.*

7. Penalties and Procedure—*contd.*

Penalty on—*contd.*

Master disobeying order of Embarkation Agent for immediate departure of vessel	Act 6, 1901, s. 179.
„ permitting labourer to leave vessel before arrival at destination	„ s. 180.
„ failing to stop vessel at appointed places, or to report to Magistrate there	„ s. 181.
„ or medical officer of vessel neglecting to obey or enforce Act or rule	„ s. 183.
recruitment in contravention of Act or notification	„ s. 164.
Recruiter giving false information to Registering-officer	„ s. 165.
„ removing unregistered person, or inducing registered person to go to any place other than the contractor's depôt	„ s. 166.
„ failing to provide labourer or dependant with food and lodging, or ill-treating him; award of compensation out of fine	„ s. 167.
disobedience to order of Magistrate for regulating communication between vessel and land	„ s. 182.
buying or selling rations furnished under s. 134 to labourer	„ s. 188.
enticing away, harbouring or employing labourer bound by labour-contract; award of fine to employer	„ s. 208.
failure to forward labour-contract to Inspector	„ s. 209.
„ to send labourer to Inspector or Magistrate	„ ss. 209, 210.
„ to give notice of complaint to Inspector or Magistrate	„ s. 210.
Abetment of offence	„ s. 213.
Unlawful absence from work: report to Inspector; inquiry by Inspector; addition of days of absence to term of labour-contract	„ s. 192.
Desertion: report of, to Inspector	„ s. 194.
„ apprehension of deserters; procedure by Police and Magistrate	„ ss. 195 to 197.
„ compensation for wrongful arrest on charge of	„ s. 199.
„ cancellation of contract after six months' imprisonment for	„ s. 200.
Return of labourer to employer, on expiry of sentence of imprisonment	„ s. 204.
Conviction of labourer when not to operate as a release from labour-contract	„ s. 204(*1*).
Cancellation of portion of sentence on labourer, upon application of employer; payment of expense of forwarding labourer to employer	„ ss. 202, 203.
Endorsement on contract of—	
term of imprisonment for certain offences under Act 6, 1901, or period of unlawful absence or desertion	„ s. 205.
period of any other imprisonment	„ s. 206.
Deduction of term of imprisonment from term of service under labour-contract	„ s. 205(*4*).

EMIGRATION—*concld.*

B.—TO LABOUR-DISTRICTS OF ASSAM—*concld.*

7. Penalties and Procedure—*concld.*

Addition of term of imprisonment to term of service under labour-contract	Act6,1901,s.207.
Place for trial of offences	,, s.214.
Recovery, by distress and sale, of sums recoverable under Act	,, s.215.
Wages due under labour-contract a charge upon estate	,, s.216.
Owner of estate for the time being to have all rights and remedies in respect of labour-contracts	,, s.217(*1*).
Owner of estate not liable for breach of labour-contract after he ceases to be owner	,, s.217(*2*).
Application of proceeds of fines, fees and rates	,, s.218 (am.Act11, 1908,s.3).
Notifications not to affect prior Acts	Act6,1901,s.222.

EMPLOYERS AND WORKMEN (DISPUTES) ACT, 1860 (*See* PUBLIC WORKS) . . . Act9,1860.

ENCUMBERED ESTATES. *See* INCUMBERED ESTATES.

ENDOWMENT.

1. Charitable.

Ben. Reg. 19, 1810, declared in force—	
throughout Bengal, except as regards the Scheduled Districts	Act15,1874,s.6.
in Ajmere (with a modification)	Reg.3,1877,s.3.
Mad. Reg. 7, 1817, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act15,1874,s.4.
Objects of Ben. Reg. 19, 1810	Ben.Reg.19,1810,s.16.
,, Mad. Reg. 7, 1817	Mad.Reg.7,1817,s.15.
Superintendence of endowments for charitable purposes, and of public buildings, vested in Board of Revenue	Ben.Reg.19,1810,s.2. Mad.Reg.7,1817,s.2.
Board to see to due appropriation of such endowments	Ben.Reg.19,1810,s.3. Mad.Reg.7,1817,s.3.
,, provide for due repair and maintenance of public buildings	Ben.Reg.19,1810,s.6. Mad.Reg.7,1817,s.3.
,, recommend disposal of ruined buildings	Ben.Reg.19,1810,s.4. Mad.Reg.7,1817,s.4.
,, prevent such endowments and buildings being diverted to private use	Ben.Reg.19,1810,s.5. Mad.Reg.7,1817,s.5.
District Agents:	
Appointment of	Ben.Reg.19,1810,ss.8,9. Mad.Reg.7,1817,ss.7,8.
To obtain full information in regard to such endowments and public buildings and report misappropriations to Board	Ben.Reg.19,1810,s.10. Mad.Reg.7,1817,s.9.
To ascertain particulars as to existing trustees, managers or superintendents, report vacancies and nominate successors	Ben.Reg.19,1810,ss.11to 13. Mad.Reg.7,1817,ss.10to 12.
Board to appoint new trustees, etc.	Ben.Reg.19,1810,s.14. Mad.Reg.7,1817,s.13.
Right of suit by interested persons not barred	Ben.Reg.19,1810,s.15. Mad.Reg.7,1817,s.14.

ENDOWMENT—*contd.*

1. **Charitable**—*contd.*

Punishment of native servants and other persons guilty of fraud or embezzlement . . . . . Mad.Reg.7,1817,s.16.

Ben. Reg. 19, 1810—

repealed so far as it required the Board to provide for the due repair of public bridges, sarais and kattras . . Ben.Reg.17,1816,s.16.

„ so far as it related to endowments for support of mosques, Hindu temples and other religious purposes . . . . . Act20,1863,s.1. Act1,1903.

„ in Assam . . . . . Act5,1897.

„ in Agra . . . . . Act8,1884.

functions of Board of Revenue under, to be discharged in Ajmere by Chief Commissioner . . . . . Reg.3,1877,s.3.

Mad. Reg. 7, 1817, repealed so far as it related to endowments for support of mosques, Hindu temples and other religious purposes . . . . . Act20,1863,s.1.

Power of Board, in transferring property of religious endowment to trustees, etc., to retain property which is devoted to secular purposes . . . . . „ s.21.

Power to transfer to Municipal Council management of charitable endowments under Mad. Reg. 7, 1817 . . . . . Mad.Act4,1884,s.26.

Act 6, 1890, extends to whole of British India, inclusive of British Baluchistan . . . . . Act6,1890,s.1.

„ „ declared in force in Santhál Parganas . . . Reg.3,1872,s.3,Sch.

„ „ declared in force in Upper Burma, except Shan States Act13,1898,s.4,Sch.I.

„ „ not to affect authority of Advocate General or Official Trustees . . . . . Act6,1890,s.15.

Definition of "charitable purpose" . . . . . „ s.2.

Treasurer of Charitable Endowments:

Appointment and incorporation of . . . . . „ ss.3,11.

Power to vest property of charitable trust in, on application . „ ss.4,7.

Power, on application, to settle scheme for administration of property so vested in . . . . . „ ss.5,7.

Such applications to be made by persons acting in administration of the trust, etc. . . . . „ s.6.

Power to transfer property from one, to another . . . „ s.12.

Bare trusteeship of; limitation of functions of . . . „ ss.4(4), 8,10.

Account to be kept by . . . . . „ s.8(2).

List and abstract of accounts to be published by . . . . „ s.9.

Power to make forms and rules for working of Act . . . „ s.13.

Control over Local Government by Governor General in Council „ s.16.

Indemnity to Government and Treasurer . . . . . „ s.14.

Suits by Advocate General, Collector, etc., relating to . . Act5,1908,ss.92,93.

Power of High Court in certain cases. *See* TRUST, B.

Apprenticing of child by manager of public charity. *See* APPRENTICE.

Administration of the Murray Charitable Trust by the Wardens of St. John's Church . . . . . Ben.Act2,1897.

ENDOWMENT—*contd.*

2. Religious.

Mosques, temples and other religious establishments in respect of which Government has right to nominate or confirm the nomination of the trustee, manager or superintendent:

Local Government to appoint committees to take the place of the Board of Revenue and local agents	Act20,1863,ss.3,7,8.
Tenure of office of such committees; filling of casual vacancies	,, ss.9,10.
Member of committee not to be also trustee, manager or superintendent	,, s.11.
Property of, under superintendence of Board of Revenue or local agents, to be transferred to committee; powers of committee	,, s.12.
Property of, under superintendence of Board of Revenue or local agent, to be transferred to trustee, manager or superintendent	,, s.4.
Rights, etc., of such trustee, etc.	,, s.6.
Appointment of manager for, on application, in case of dispute as to right of succession; rights, etc., of such manager	,, s.5.
Power of Board, in making any such transfer, to retain portion of property which is devoted to secular purposes	,, s.21.
Trustees, etc., to keep accounts, and committee to require production of same	,, s.13.
Right of persons interested to sue trustee, etc., or committee; reference to arbitration	,, ss.14to18.
In case of suit, Court may require production of accounts	,, s.19.
Suit not to bar criminal proceedings	,, s.20.
Government and its officers not to interfere further in affairs of mosque, temple or other religious establishment	,, s.22.
Saving of right of Government to take steps to preserve public buildings	,, s.23.
Saving of power of Court of Wards where ward is trustee or manager of religious endowment	Mad.Act1,1902,s.63.
Act 20, 1863, extended to Kanara District of Bombay Presidency, with amendments	Bom.Act7,1865.

Coorg:

Reg. 4, 1892, applies to certain temples and institutions and may be applied by notification to others	Reg.4,1892,s.1(2),Sch.
"Funds" include cash allowances paid by Government and certain other moneys	,, s.2.
Funds to be under management of Committee	,, s.3.
Constitution of such Committee; appointment, election, term of office, resignation and removal of members; filling of casual vacancies	,, ss.3to9.
Member of Committee not to act as manager or hold paid office	,, s.10.
President of Committee; meetings of Committee	,, ss.11to 14.
Appointment, duties and punishment of managers	,, ss.15,16.
Accounts	,, ss.16,17.
Legal proceedings by and against Committee; reference to arbitration	,, ss.18to21.
Reference of disputes to District Judge; appeal to Judicial Commissioner	,, s.24.

ENDOWMENT—*concld.*

2. Religious—*contd.*

Coorg—*contd.*

Power of Local Government to make rules for working of Regulation . . . . . Reg.4,1892,s.5.

Notification of appointments and rules . . . . . ,, s.22.

Government and its officers not to take part in management or control of funds, temples or institutions except as provided in Regulation . . . . . ,, s.23.

ENGINEERS' CERTIFICATE VALIDATION ACT, 1894 (*See* MERCHANT SHIPPING) . . . . . Act15,1894.

ENTRY AND INSPECTION.

Powers of, in municipalities :

See under MUNICIPALITY (*sub-heading* "The Public Health, Safety and Convenience").

See ANIMAL, A ; ARMS, ETC., 3 ; BRITISH BALUCHISTAN, II, 6 ; CANTONMENTS (HOUSE ACCOMMODATION) ; ELECTRICITY, 2 ; EMIGRATION, A. B. ; EXCISE, 3(c) ; FOREST, 8 ; GOVERNMENT BUILDINGS ; SALT.

EPIDEMIC DISEASES ACT, 1897 (*See* INFECTIOUS DISEASE) . Act3,1897.

ERRORS OF COURTS.

Government not liable for. *See* COURTS.

EQUIPMENT. *See* MERCHANT SHIPPING, 7 (*a*).

ESCHEAT.

Occurs when intestate leaves no kindred . . . . . Act10,1865,s.28.

Ben. Reg. 19, 1810, declared in force—

throughout Bengal, except as regards the Scheduled Districts . Act15,1874,s.6.

in Ajmere (with a modification) . . . . . Reg.3,1877,s.3.

Mad. Reg. 7, 1817, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . Act15,1874,s.4.

Superintendence of, vested in Board of Revenue . . . Ben.Reg.19,1810,s.7. Mad.Reg.7,1817,s.6.

District Agents :

Appointment of . . . . . Ben.Reg.19,1810,ss.8,9. Mad.Reg.7,1817,ss.7,8.

To obtain full information in regard to, and report misappropriations to Board . . . . . Ben.Reg.19,1810,s.10. Mad.Reg.7,1817,s.9.

Ben. Reg. 19, 1810—

repealed in Assam . . . . . Act5,1897.

,, Province of Agra . . . . . Act8,1884.

functions of Board of Revenue under, to be discharged in Ajmere by Chief Commissioner . . . . . Reg.3,1877,s.3.

ESTATE defined. *See* WORDS AND PHRASES.

ESTATES PARTITION ACT, 1897 (*See* ARBITRATION : LAND-REVENUE, III, V ; PARTITION AND UNION, ETC. ; REGISTRATION OF LAND) . . . . . Ben.Act5,1897.

ESTOPPEL. *See* EVIDENCE, II, 4 ; NEGOTIABLE INSTRUMENT, 10.

EUROPEAN BRITISH SUBJECTS.

Definition of. *See* WORDS AND PHRASES.

Validation of laws made by Governor or Lieutenant-Governor in Council conferring jurisdiction over . . . . . 34-5V.c.34,s.1.

EUROPEAN BRITISH SUBJECTS—*contd.*

Committal of, to High Court . . . . . 34-5V.c.34,s.2. Act5,1898, s.447.

Power of Bengal, Bombay and Madras Councils to repeal or amend Acts validated by Act 22, 1870 . . . . 34-5V.c.34,s.3. 55-6V.c. 14,s.5.

Provisions as to trial of. *See* CRIMINAL PROCEDURE (INDIAN), **8** (*6*), **9** (*1*), **11** (*1*), **12** (*5*).

In Aden, when triable by High Court, Bombay, and when by Resident . . . . . Act2,1864,ss.21,22.

Criminal jurisdiction of Chief Court, Lower Burma, over, throughout Burma, including Shan States . . . . . Act6,1900,s.8.

Criminal jurisdiction of Chief Court, Punjab, over . . . Act18,1884,s.7.

Jurisdiction of Justice of the Peace over . . . . . 34-5V.c.34.

Criminal jurisdiction over, in Sindh . . . . . Act5,1872,s.4.

Certain local High Courts not to have criminal jurisdiction over. *See* CRIMINAL PROCEDURE (INDIAN), **13**.

Inferior Courts not to have power of imposing capital punishment on . . . . . 3-4W.4,c.85,s.46.

Provisions of Code of Criminal Procedure as to, maintained in Angul . . . . . Reg.1,1894,s.30.

Saving of jurisdiction over, on Assam frontier . . . Reg.2,1880,s.2.

Criminal jurisdiction over, not affected by Scheduled Districts Act . . . . . Act14,1874,s.8.

How far they lose their privileges under Code of Criminal Procedure on becoming vagrant . . . . . Act9,1874,s.30.

See also EUROPEANS AND AMERICANS.

EUROPEAN DESERTERS ACT, 1856 (*See* DESERTION) . . Act11,1856.

EUROPEAN FORCES (INDIA) ACT, 1860 [1] (*See* INDIAN MILITARY AND NAVAL FORCES) . . . . . 23-4V.c.100.

EUROPEAN VAGRANCY ACT, 1874 (*See* EUROPEAN BRITISH SUBJECTS; VAGRANT) . . . . . Act9,1874.

EUROPEANS AND AMERICANS.

Criminal proceedings against. *See* CRIMINAL LAW (INDIAN), **2**; CRIMINAL PROCEDURE (INDIAN), **11** (*1*); EUROPEAN BRITISH SUBJECT.

In Aden; trial of, by jury . . . . . Act2,1864,ss.24to27.

EVIDENCE ACT (INDIAN), 1872 . . . . . Act1,1872.

" " AMENDMENT ACT (INDIAN) . . . Act18,1872.

EVIDENCE BY COMMISSION ACT, 1859[1] (*See* EVIDENCE, I) 22V.c.20.
" " " " 1885 48-9V.c.74.

EVIDENCE ON COMMISSION ACT, 1831 [*See* EVIDENCE, I; PRISONER (ENGLISH LAW)] . . . . . 1W.4,c.22.

EVIDENCE (COLONIAL STATUTES) ACT, 1907 (*See* EVIDENCE, I) . . . . . 7Edw.7,c.16.

[1] This short title was given by 50 & 60 Vict., c. 14.

EVIDENCE.

1772-3. 13 Geo. 3, c. 63, ss. 40, 42, 44, 45 (Evidence for Courts in United Kingdom).
1784. 24 Geo. 3, sess. 2, c. 25, ss. 78 to 81 (Evidence for Courts in United Kingdom).
1788. 26 Geo. 3, c. 57, ss. 28, 38 (Evidence for Courts in United Kingdom).
1820. 1 Geo. 4, c. 101[1] (Divorce).
1831. 1 Will. 4, c. 22 (Evidence on Commission).
1840. 3-4 V. c. 105, ss. 66, 67.
1843. 6-7 V. c. 22[1] (Colonial legislation).
1854. 17-18 V. c. 80, s. 58 (Registration of Births, Deaths and Marriages, Scotland).
1856. 19-20 V. c. 113[1].
1859. 22 V. c. 20[1] (Commission).
1867-8. 31-2 V. c. 37[1] (Documentary).
1870. 33-4 V. c. 52, s. 24 (Extradition, Foreign Tribunals).
1871. Act 4, s. 18A (Coroner).
1872. Act 1 (Evidence Act).
,, Reg. 3, s. 3 (Laws, Santhál Parganas).
1873. 36-7 V. c. 60, s. 5 (Extradition, Foreign Tribunals).
1874. Reg. 9, s. 3 (Laws, Arakan Hills).
1879. Act 17, s. 10A (Dekkhan Agriculturists).
1881. 44-5 V. c. 58, s. 127 (Repeal).
1881. 44-5 V. c. 69, ss. 15, 29 (Fugitive Offenders).
1882. 45-6 V. c. 9[1] (Documentary).
1884-5. 48-9 V. c. 74[1] (Commission).
1887. Act 14, s. 68 (Royal Indian Marine).
1890. 53-4 V. c. 37, s. 5 (Foreign Jurisdiction).
,, Reg. 1, ss. 3, 4 (Laws, British Baluchistan).
1891. Act 18 (Bankers' Books).
1894. Reg. 1, s. 3 (Laws, Angul).
1895. 58-9 V. c. 9[1] (Documentary).
,, Reg. 1, s. 3 (Laws, Kachin Hills).
1896. Reg. 5, s. 3 (Laws, Chin Hills).
1898. Act 5, ss. 467, 473, 475 (Criminal Procedure).
,, Act 6, ss. 14, 15 (Post Office; Marks).
,, Act 13, s. 4 (Laws, Burma).
1900. Reg. 1, s. 4 (Laws, Chittagong Hill Tracts).
1903. Act 15, s. 21 (Extradition).
1905. 5 Edw. 7, c. 15, ss. 50, 52 (Trade Mark).
1907. 7 Edw. 7, c. 16 (Colonial Statutes).
1908. 8 Edw. 7, c. 48, ss. 9, 39 (Post Office; Marks and Regulations).
,, Act 5, s. 84 (Civil Procedure).
,, Act 14, s. 13 (Criminal Law Amendment).
1910. 10 Edw. 7 & 1 Geo. 5, c. 32 (Registration of Births, Deaths and Marriages, Scotland).

I.—ENGLISH LAW . . . . . 1. Taking evidence in Courts of Judicature, etc. 2. Proof and Admissibility of various Documents.

II.—INDIAN LAW . . . . . 1. Preliminary. 2. Relevancy of Facts. 3. Proof. 4. Estoppel. 5. Witnesses. 6. Miscellaneous Provisions.

I.—ENGLISH LAW.

1. Taking evidence in Courts of Judicature, etc.

Mandamus by High Court, England, to Courts in India for taking evidence . . . . . 13G.3,c.63,ss.44,45.
Taking of evidence in India for bill of divorce in England . . 1G.4,c.101.

[1] Collective title ("Evidence Acts, 1806 to 1895") given by 59 & 60 Vict., c. 14.

EVIDENCE—*contd.*

I.—ENGLISH LAW—*contd.*

1. Taking evidence in Courts of Judicature, etc.—*contd.*

Taking evidence by commission in India, on indictments and information in King's Bench, and proceedings in Parliament for offences in India and in all actions in the King's Courts at Westminster and Dublin	13G.3,c.63,ss.40,42,45. 24G.3,sess.2,c.25,ss.78to 81. 26G.3,c.57,s.28. 1W.4,c.22. 3-4V.c.105,ss.66,67.
Taking evidence by commission, in proceedings pending before any tribunal in British dominions out of the jurisdiction of such tribunal; power of Courts to nominate examiner; power to make rules for giving effect to Acts: oath or examination of witnesses	22V.c.20. 48-9V.c.74.
Endorsement in one grouped British Possession of summons to witness on charge of offence triable in another . . .	44-5V,c.69,s.15.
Validity of laws made by Legislatures of British Possessions for admission of evidence of persons having no religious belief .	6-7V.c.22.
Foreign tribunals:	
Attendance and examination of witnesses in British dominions, and production of documents—	
in civil matters pending before	19-20V.c.113.
in criminal matters, not political, pending before . .	33-4V.c.52,s.24. 36-7V.c.60,s.5.
Power, by Order in Council, to extend 19 & 20 Vict. c. 113, etc., to any place to which Foreign Jurisdiction Act, 1890, applies	53-4V.c.37,s.5,Sch.I.
Admission of depositions, etc., under Fugitive Offenders Act .	44-5V.c.69,s.29.

2. Proof and Admissibility of various Documents.

Proof in Great Britain of documents signed in India . . .	26G.3,c.57,s.38.
Proof of Royal Proclamations, Orders in Council, Orders of Privy Council, Treasury, Admiralty, Secretary of State, Board of Trade, etc., in United Kingdom or British Possession; saving of legislative powers of British Possession	31-2V.c.37. 58-9V.c.9.
Proof of documents printed under superintendence of Stationery Office	45-6V.c.9.
Admissibility and proof of extracts from and copies of register of trade-marks.	5Edw.7,c.15,ss.50to52.
Proof of re-enactments passed by Legislatures of British Possessions	7Edw.7,c.16.
Proof of Post Office regulations	8Edw.7,c.48,s.36.
Official mark on postal packet to be evidence of amount of postage	8Edw.7,c.48,s.9.
Admissibility and proof of extracts from register books kept under s. 58 of the Registration of Births, Deaths and Marriages (Scotland) Act, 1854	17,18V.c.80,s.58. 10Edw.7&1Geo.5, s.32.

See also MERCHANT SHIPPING, 11 (*b*); PRISONER (ENGLISH LAW).

II.—INDIAN LAW.

1. Preliminary.

Act 1, 1872 (the Indian Evidence Act, 1872)—	
extends to the whole of British India .	Act1,1872,s.1.
declared in force—	
in the Santhál Parganas . . .	Reg.3,1872,s,3.Sch.

EVIDENCE—*contd.*

II.—INDIAN LAW—*contd.*

1. Preliminary—*contd.*

Act 1, 1872 (the Indian Evidence Act, 1872)—*contd.*
declared in force—*contd.*
in Angul and the Khondmals . . . . . Reg.1,1894,s.3.
in Chittagong Hill-tracts . . . . . Reg.1,1900,s.4.
in the *Arakan Hill District* . . . . . Reg.9,1874,s.3.
in Upper Burma generally, *except the Shan States (with an addition)* . . . . . Act13,1898,s.4,Sch.1.
in Kachin Hill-tracts, as regards hill-tribes . . . Reg.1,1895,s.3.
in certain tracts in the Chin Hills . . . . . Reg.5,1896,s.3.
in British Baluchistan *(with an addition)* . . . . Reg.1,1890,ss.3,4.
Act 18, 1872 (amending the Indian Evidence Act, 1872), declared in force in—
the Santhál Parganas . . . . . Reg.3,1872,s.3.
the Arakan Hill District . . . . . Reg.9,1874,s.3.
Act 18, 1891 (Bankers' Books), declared in force in—
the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
Upper Burma, except Shan States . . . . . Act13,1898,s.4,Sch.1.
Act 1, 1872, applies to all judicial proceedings in or before Courts (including Courts-martial), but not to affidavits or to proceedings before an arbitrator . . . . . Act1,1872,s.1.
Court-martial under Army Act of 1881 not subject to provisions of Act 1, 1872 . . . . . 44-5V.c.58,s.127.
Act 1, 1872, is applicable, subject to modifications, to proceedings before Indian Marine Courts Act14,1887,s.68
General definitions. (*See also* WORDS AND PHRASES) . . Act1,1872,ss.3,4.

2. Relevancy of Facts.

Of what facts evidence may be given . . . . . „ ss.5to16.
Admission; definition of . . . . . „ ss.17to20.
„ *in what cases it may be proved* . . . . . „ ss.21to23.
Confession in criminal proceeding; *in what cases it may not be proved* . . . . . „ ss.24to30.
Admissions not conclusive proof, but may operate as estoppels . „ s.31.
Statements made by persons who cannot be called as witnesses; when they are relevant facts . . . . . „ ss.32,33.
Evidence of witness taken by enquiring Magistrate in *proceedings* under Act 14, 1908, Pt. I, when admissible at trial . . Act14,1908,s.13.
Statements made under special circumstances; relevancy of:
Entries in book of account or public record . . . . Act1,1872,ss.34,35.
Statements in maps, charts or plans . . . . . „ s.36.
„ of fact of public nature, contained in Acts or notifications . . . . . „ s.37.
„ as to law, contained in law-book . . . . „ s.38.
„ how much of a statement is to be *proved* . . . „ s.39.
Judgments, orders and decrees of Courts of Justice:
When relevant facts and when conclusive proof . . . . „ ss.40to43.
Fraud or collusion in obtaining, or incompetency of Court, may be proved . . . . . „ s.44.

EVIDENCE—*contd.*

II.—INDIAN LAW—*contd.*

2. Relevancy of Facts—*contd.*

Opinions of third persons, when relevant:
Experts . . . . . Act1,1872,ss.45.46.
Opinion as to handwriting . . . . . „ s.47.
„ „ existence of right or custom . . . . . „ s.48.
„ „ usages, tenets, etc. . . . . „ s.49.
„ „ relationship . . . . . „ s.50.
Grounds of opinion, when relevant . . . . . „ s.51.
Character when relevant . . . . . „ ss.52to55.
See also 6 *below*; FOREST.

3. Proof.

Facts judicially noticeable need not be proved . . . . . „ s.56.
Facts of which Court must take judicial notice . . . . . „ s.57. Act5,1908,s.84.
Facts admitted need not be proved . . . . . Act1,1872,s.58.
Oral evidence:
All facts, except contents of documents, may be proved by . „ s.59.
Must be direct . . . . . „ s.60.
Documentary evidence:
Primary evidence . . . . . „ ss.61,62,64.
Secondary evidence . . . . . „ ss.61,63,65,66.
Proof of execution of document . . . . . „ ss.67to73.
Public documents:
Definition . . . . . „ s.74.
Certified copies of, to be given on demand . . . . . „ s.76.
Proof of, by production of certified copy . . . . . „ s.77.
„ in other cases . . . . . „ s.78.
Presumption as to genuineness, etc., of documents . . „ ss.79to90.
Exclusion of oral by documentary evidence; saving of provisions of Indian Succession Act, 1865, as to construction of wills . „ „ss.91,92to 100.
Exception in case of transaction with agriculturist in Dekkhan . Act17,1879,s.10A(ins. Bom.Act2,1907,s.2).
Burden of proof . . . . . Act1,1872,ss.101to111.
Birth during marriage conclusive proof of legitimacy . . „ s.112.
Proof of cession of territory . . . . . „ s.113.
Court may presume existence of certain facts . . . . . „ s.114.

4. Estoppel.

Estoppel, when it arises . . . . . „ s.115.
„ admission may operate as . . . . . „ s.31.
„ of tenant . . . . . „ s.116.
„ of acceptor of bill of exchange . . . . . „ s.117.
„ of licensee . . . . . „ ss.116,117.
„ of bailee . . . . . „ s.117.

5. Witnesses.

Who may testify . . . . . „ ss.118,120.
Dumb persons how to give evidence . . . . . „ s.119
Judge or Magistrate; examination of . . . . . „ s.121.

EVIDENCE—*concld.*

II.—INDIAN LAW—*contd.*

5. Witnesses—*contd.*

Restrictions on disclosure of—
communication made during marriage . . . . . Act1 1872, s.122.
affairs of State, etc. .. .. ,, ss.123, 124.
professional communications . . . . . ,, ss.126 to 129.
Magistrate, Police-officer and Revenue-officer not bound to disclose source of information as to commission of offence . . ,, s.125.
Production of certain documents cannot be compelled . . ,, ss.130, 131.
Witness not excused from answering on ground that answer will criminate him . . . . . ,, s.132.
Accomplice a competent witness . . . . . ,, s.133.
No particular number of witnesses required for proof of any fact ,, s.134.
General provisions as to examination of . . . . . ,, ss.135, 137 to 140, 144 to 166.
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6. Miscellaneous Provisions.

Judge to decide as to admissibility of evidence . . . Act 1, 1872, s.136.
When improper admission or rejection of evidence is no ground for a new trial . . . . . ,, s.167.
Foreign tribunals; attendance and examination of witnesses in British India, in criminal matters, not political, pending before Act15, 1903, s.21.
Service of summons on and examination of witnesses in British India in civil and revenue matters by certain foreign tribunals. *See* CIVIL PROCEDURE, 3, 11.
Bankers' books:
Act applies to books of—
(1) banking companies . . . . . .
(2) partnerships and individuals notified by Local Government, and . . . . . .
(3) post office savings banks or money order offices . . Act18, 1891, ss.2(2), 3.
Definitions . . . . . ,, s.2(3) to (8).
Certified copies of entries in, to be admitted in evidence . ,, s.4.
Officer of bank not compellable to produce books or to appear as witness; exceptions . . . . . ,, ss.5, 6(2), (3).
Inspection and taking of copies of, or production of certified copies of, entries in, by order of Court or Judge . . ,, s.6.
Costs in proceedings under Act . . . . . ,, s.7.
Chemical examiner's report to be evidence . . . . . Act4, 1871, s.18A (ins. Act4, 1908, s.6).
Certain certificates in lunacy matters to be evidence . . Act5, 1898, ss.467, 473, 475.
Post office marks to be evidence . . . . . Act6, 1898, ss.14, 15.
Production, etc., of documents in suit. *See* CIVIL PROCEDURE, 2.
Evidence how taken in criminal trial. *See* CRIMINAL PROCEDURE (INDIAN), 8 (7).
Punishment for false evidence, etc. *See* CRIMINAL LAW (INDIAN), 9.
Obtaining evidence of prisoners. *See* PRISONER (INDIAN LAW), 2 (6), (7), (10).

EXCHANGE.

Definition of . . . . . .
Transfer of property in completion of, how to be made . . Act4, 1882, s.118.
Rights and liabilities of parties to . . . . . ,, ss.119 to 121.

EXCHANGE—*concld.*
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EXCISE ACT, 1896 [*See* CANTONMENT; CUSTOMS (INLAND); EXCISE] . . . . . Act 12, 1896.
EXCISE (AMENDMENT) ACT, 1906 . . . . . Act 7, 1906.
EXCISE (MALT-LIQUORS) ACT, 1890 [*See* CUSTOMS (SEA); EXCISE] . . . . . Act 13, 1890.
EXCISE (SPIRITS) ACT, 1863 (*See* EXCISE) . . . . . Act 16, 1863.
EXCISE AND SEA CUSTOMS LAW AMENDMENT ACT, 1885 (*See* EXCISE) . . . . . Act 9, 1885.
EXCISE.
1803. Mad. Reg. 2, ss. 2, 32 (Collectors).
1863. Act 16 (Spirits used in arts and manufactures).
1866. Ben. Act 2, ss. 18 to 24 (Calcutta Suburban Police).
,, Ben. Act 4, ss. 33, 35 to 41 (Calcutta Police).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Act 15, s. 3 (Laws Local Extent).
,, Reg. 9, ss. 16, 17 (Arakan Hills).
1876. Reg. 3, ss. 31, 32 (Andamans).
1878. Act 8, ss. 26, 28, 138, 144 to 155, 163, 167 (Sea Customs).
,, Bom. Act 5 (Excise, Bombay).
1883. Reg. 1, s. 18 (*10*) (Report of offences, Assam).
1885. Act 9, s. 4 (Duty).
1886. Mad. Act 1 (Excise, Madras).
1888. Mad. Act 3, ss. 67, 68 (Police, Madras City).
1889. Reg. 3, ss. 37 to 46 (Land and Revenue, Upper Burma).
1890. Act 13, ss. 6 to 9 (Malt Liquor).
1894. Act 8, ss. 7, 10 (Tariff).
,, Reg. 1, s. 3 (Laws, Angul).
1896. Act 2, ss. 5 to 36 (Cotton Duties).
,, Act 12 (Excise, Northern India, etc.).
1898. Act 13, s. 4 (Laws, Burma).
1901. Reg. 7, s. 3 (Laws, N.-W. Fr.).
1902. Bom. Act 4, s. 115 (Police, Bombay City).
1904. Bur. Act 3 (Excise).
1909. Ben. Act 5 (Excise).
1910. E. B. & A. Act 1 (Excise).
,, U. P. Act 4 (Excise).
1. Generally.
2. Cotton Goods.
3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium).
4. Other Articles.

1. Generally.

Duty may be taken *pro ratâ*. *See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES, 1.
Duties to be collected by Collector . . . . . Mad. Reg. 2, 1803, ss. 2, 32.
Effect of alteration of duty on contract . . . . . Act 8, 1894, s. 10. Act 2, 1896, s. 35.
Exciseable goods not to be unladen from coasting ship without permission of Excise-officer . . . . . Act 8, 1878, s. 163.
Duty to be paid on re-importation of country goods on which drawback was allowed on exportation . . . . . ,, s. 26.
Bond may be required before exportation of goods subject to duty . . . . . ,, s. 138.
Country provisions and stores for use on foreign-going ship may be shipped free of duty . . . . . ,, s. 28.

2. Cotton Goods

Duty on cotton goods produced in mill; power to fix and alter tariff-values . . . . . Act 2, 1896, ss. 6, 7.
Assessment of duty; recovery of duty and penalty for non-payment . . . . . ,, ss. 9 to 11, 15.

EXCISE—*contd.*

2. Cotton Goods—*contd.*

Exemption from duty and payment of drawback, in case of cotton goods exported by sea to foreign port	Act2,1896,ss.18to21, 23,24,25 (*10*),(*11*),36.
Power to prohibit payment of drawback	,, s.22.
Returns of cotton goods produced at mill	,, ss.8,15,19, 25(*3*),(*4*), (*13*),36.
Warehousing	,, ss.12to15, 25(*16*).
Inspection of mills, and taking of copies of records and accounts; information so acquired to be deemed an "official secret"	,, ss.16,17,36.
Offences and penalties	,, s.25.
,, by whom triable	,, s.26.
Confiscation of goods when allowed; packages, conveyances, animals, etc., may also be confiscated	,, ss.25,27.
Samples to be kept by mill-owner for inspection	,, ss.28,25(*6*).
,, may be taken by Collector	,, s.29.
Records and books of account to be kept by mill-owner	,, ss.30,25(*5*); (*7*),36.
Returns of cotton yarn spun by machinery	,, ss.31,25(*8*), 36.
Search, arrest and seizure; option to pay fine in lieu of confiscation; saving of liability to punishment under other law; appeals; detention of goods pending payment of fine, etc.	,, s.32.
Local Government may reverse or modify decision or order	,, s.33.
Notice of, and limitation for, proceedings other than suit; amendments of documents; publication and sale of rules; cancellation of notifications; remission of duty and compensation to owner, when offender is an official	,, s.34.

3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium).

(*a*) Preliminary.

[1] Act 16, 1863 (Spirits used in arts and manufactures), declared in force—	
throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
in the Santhál Parganas	Reg.3,1872,s.3,Sch.
in Angul District	Reg.1,1894,s.3.
in Upper Burma (except Shan States)	Act13,1898,s.4,Sch.1.
Act 8, 1878, ss. 144 to 154, declared in force—	
in Angul District	Reg.1,1894,s.3.
in Upper Burma, except Shan States	Act13,1898,s.4,Sch.1.
Act 9, 1885, ss. 3, 4, declared in force in the Santhál Parganas	Reg.3,1872,s.3,Sch.
Act 13, 1890, declared in force in Angul District	Reg.1,1894,s.3.
,, ss. 1, 6, 7, 8, declared in force in Santhál Parganas	Reg.3,1872,s.3.Sch.
,, s. 9, declared in force in Upper Burma, except Shan States	Act13,1898,s.4.

[1] Act 16, 1863, has been repealed in Bengal by Ben. Act 5, 1909, and in the United Provinces by U. P. Act 4, 1910; it will be repealed in Eastern Bengal and Assam by E. B. and A. Act 1, 1910, when it comes into force.

EXCISE—*contd.*

3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*contd*

(*a*) PRELIMINARY—*contd.*

Act 12, 1896, declared in force in Upper Burma, except Shan States	Act13,1898,s.4,Sch.I.
,, ,, supplemented in Burma	Bur.Act3,1904.
,, ,, amended in N.-W. Fr. Province	Reg.7,1901,s.3,Sch.1.
Definitions	Act12,1896,s.3(am.Act7, 1906,s.2). [1]Ben.Act5,1909,s.2. Bom.Act5,1878,s.3. E.B.&A.Act1,1910,s.3. Mad.Act1,1886,s.3. U.P.Act4,1910,s.3.

(*b*) MANAGEMENT.

Excise-officers; appointment and general powers and duties of	[2]Act12,1896,ss.33,64 (s.64am.inN.W.Fr.,Reg. 7,1901,s.3,Sch.1). Ben.Act5,1909,ss.7,8. Bom.Act5,1878,ss.4to6,8. [3]E.B.&A.Act1,1910,ss. 8,9. Mad.Act1,1886,s.45. U.P.Act4,1910,ss.9,11,79.
Control over manufacture of liquor and production or cultivation of drugs	Act12,1896,ss.5,9,11, 12,19. Ben.Act5,1909,ss.13,14,21. Bom.Act5,1878, ss.14,14A,27E. E.B.&A.Act1,1910,s.15. Mad.Act1,1886,ss.12,16. U.P.Act4,1910,ss.17,24.
Establishment and regulation of public distilleries	Act12,1896,ss.6,10,11. Ben.Act5,1909,s.15. Bom.Act5,1878,s.15. E.B.&A.Act1,1910,s.16 (*a*)to(*c*). Mad.Act1,1886,s.14. U.P.Act4,1910,s.18(*a*)to (*c*).
Warehou	Act12,1896,ss.14to17,19. Ben.Act5,1909,ss.15,16. Bom.Act5,1878,ss.27Ato 27D. E.B.&A.Act1,1910,s.16 (*d*),(*e*). Mad.Act.1,1886,s.14. U.P.Act4,1910,s.18(*a*).

[1] Ben. Act 7,1878, and the amending Acts of the Bengal Council, 4,1881, and 1,1883, were extended to Assam by notification under Act 14,1874. Ben. Act 7, 1878, and its amending Acts have been repealed in Bengal by Ben. Act 5,1909, and will be repealed in Eastern Bengal and Assam by E. B. & A. Act 1,1910, when it comes into force. References to those Acts are omitted from the Index.

[2] Act 12, 1896, applies to Ajmere, British Baluchistan (by notification), Burma (except Shan States), the Central Provinces, Coorg, the N.-W. Fr. Province and the Punjab. The Act has been repealed in Sambalpur by Ben. Act 5, 1909, and in the United Provinces by U. P. Act 4, 1910.

[3] E. B. & A. Act 1,1910, will come into force when notified. The Act extends to the whole of Eastern Bengal and Assam, excepting certain tracts and districts to which it may be extended by notification. *See* s. 1.

EXCISE—*contd.*

3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*contd.*

(*b*) MANAGEMENT—*contd.*

Duties	Act 9,1885,s.4. Act13,1890,s.8. Act12,1896,ss.7,8,13, 19,31,32. Ben.Act5,1909,ss.17,27,29, 38(*1*)(*a*)(*i*). Bom.Act5,1878,ss.19,20, 24to27,27E. [1]E.B.&A.Act1,1910,s.21. Mad.Act1,1886,ss.17to19. U.P.Act.4,1910,ss.19,28, 31,46.
Recovery of dues	Act12,1896,s.349. Ben.Act5,1909,ss.28,82. Bom.Act5,1878,ss.21,24, 29,32. E.B.&A.Act1,1910,ss.25, 38 Mad.Act1,1886,s.2. (U.B.)Reg.3,1889,ss.37to 46. U.P.Act4,1910,ss.29,30,36, 469.
Supervision of cultivation, preparation and storing of intoxicating drugs; to secure duty	Ben.Act5,1909,s.17. U.P.Act4,1910,s.19.
Control over sale	Act12,1896,ss.21to24(s.21 am.Act7,1906,s.4 ; s.23 am. in N.-W.Fr.,Reg.7, 1901,s.3,Sch.). Ben.Act5,1909,ss.20,21,22. Bom.Act5,1878,ss.16to18. E.B.&A.Act1,1910,ss.18 to20. Mad.Act1,1886,ss.15,16. U.P.Act4,1910,s.6.
" " " in Calcutta and suburbs ; powers of Commissioner of Police as to grant of licenses	Ben.Act4,1866,ss.36to38 (s.36am.Ben.Act3,1910,s. 11). Ben.Act2,1866,ss.19to21. (s.19am.Ben.Act3,1910,s. 11).
" " " in Calcutta and suburbs ; fee for certificates and licenses granted by Commissioner of Police	Ben.Act4,1866,s.41. Ben.Act2,1866,s.24.
" " " licenses, permits, passes	Ben.Act5,1909,ss.30to44. E.B.&A.Act1,1910,ss.24 to32. U.P.Act4,1910,ss.20to22, 31to37.
Licensed vendors, employment of women or children by	Ben.Act5,1909,s.25. U.P.Act4,1910,s.23.

[1]E. B. & A. Act 1, 1910, will come into force when notified. The Act extends to the whole of Eastern Bengal and Assam, excepting certain tracts and districts to which it may be extended by notification. *See* s. 1.

EXCISE—*contd.*

3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*contd.*

(*b*) MANAGEMENT—*contd.*

Licensed vendors employing unauthorised persons or selling at unauthorised hours : penalty	Bur.Act3,1904,s.3.
Closing of shop for the sake of public peace	Ben.Act5,1909,s.26. Bom.Act5,1878,s.42. [1]E.B.&A.Act1,1910,s.56. U.P.Act4,1910,s.59. Mad.Act1,1886,s.54.
Control over possession	Act12,1896,ss.18to20,30 (s.18am.Act7,1906,s.3). Ben.Act5,1909,ss.18,19. Bom.Act5,1878,s.47. [1]E.B.&A.Act1,1910,s.17. Mad.Act1,1886,s.13. U.P.Act4,1910,s.7.
" import or export	Act12,1896,ss.31,32. Ben.Act5,1909,ss.9to12 Bom.Act5,1878,ss.9to11. [1] E.B.&A.Act1,1910,ss. 10to14. Mad.Act1,1886,ss.6to8. U.P.Act4,1910,ss.12to16.
" transport	Act12,1896,s.20 Ben.Act5,1909,ss.10to12. Bom.Act5,1878,ss.12,13. [1]E.B.&A.Act1,1910,ss.11 to14. Mad.Act1,1886,ss.9to 11. U.P.Act4,1910,ss.13to16,
" " sale, possession, import, export and transport of mhowra flowers in, into, or from the districts of Tana, Kolaba and certain other areas	Bom.Act5,1878,s.18A.
Penalty for unlawful introduction of spirits, etc., into public hospitals, forts, barracks, vessels of war, etc.	(Bo.City)Bom.Act4,1902, s.115. (Cal.)Ben.Act4,1866,s.33. (Mad.City)Mad.Act3,1888, ss.67,68.
Prohibition of unlicensed importation, manufacture, barter, sale or possession of liquor or intoxicating drugs into or in Andamans ; penalty	(And.)Reg.3,1876,ss.31,32.
Seizure and confiscation of spirit and ganja in boat on river Kuladan not protected by pass ; penalty on boatman	(Ara.)Reg.9,1874,ss.16,17.
Farming of fees, etc.	Act12,1896,ss.25to28. Bom.Act5,1878,ss.23,28, 29. Mad.Act1,1886,ss.20to23.
Tari ; supply of, to licensed vendors	Act12,1896,s.29.
Measuring and testing	Ben.Act5,1909,s.24. Bom.Act5,1878,s.33. [1]E.B.&A.Act1,1910,s.33. Mad.Act1,1886,s.27. U.P.Act4,1910,s.38.

[1] E. B & A. Act 1, 1910, will come into force when notified. The Act extends to the whole of Eastern Bengal and Assam, excepting certain tracts and districts to which it may be extended by notification. *See* s. 1

EXCISE—*contd.*

3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*contd.*

(b) MANAGEMENT—*concld.*

Medicated articles not subject to excise law; Local Government may prohibit sale except under license	Bom.Act5,1878,s.62. [1]E.B.&A.Act1,1910,s.72. Mad.Act1,1886,s.71. U.P.Act4,1910,s.75.
Tari; special provision as to	Ben.Act5,1909,ss.13(*f*),14, 18(2),19(2),20(3). [1] E.B.&A.Act1,1910,ss. 15,17(2),(3),18(4),36(2). U.P.Act4,1910,ss.42to47.
Exclusive privilege of manufacture and sale of country liquors or intoxicating drug	Ben.Act5,1909,ss.22,23, 29. [1]E.B.&A.Act1,1910,ss. 19,23. U.P.Act4,1910,ss.24to27, 30.
Power of Collector to take over or transfer any grant of license or exclusive privilege on forfeiture or surrender	Ben.Act5,1909,s.45. [1]E.B.&A.Act1,1910,s.34.
Exemption of articles and persons from excise law under order of Local Government	Act12,1896,s.66. Ben.Act5,1909,s.90. [1]E.B.&A.Act1,1910,s.73. U.P.Act4,1910,s.76.
Municipality; fixed sum to be paid annually to Municipal Corporation of City of Bombay from excise revenue	Bom.Act5,1878,s.63.
General power to make rules	Act12,1896,s.65. Ben.Act5,1909,ss.85to88. Bom.Act5,1878,ss.27E,35. Bur.Act3,1904,s.4. [1]E.B.&A.Act1,1910,ss. 36,75. Mad.Act1,1886,ss.29,69. U.P.Act4,1910,ss.40,41, 77.

In cantonments. *See* CANTONMENT, 2.

(c) OFFENCES, PENALTIES AND PROCEDURE.

Offences and penalties	Act12,1896,ss.45to56,59, 61. Ben.Act2,1886,ss.18,21,23. Ben.Act4,1886,ss.35,38,40. Ben.Act5,1909,ss.46,48to 54,58to62. Bom.Act5,1878,ss.7,43to 53(am.Bom.Act4,1905, s.2). Bur.Act3,1904,s.3. [1]E.B.&A.Act1,1910,ss.53 to64. Mad.Act1,1886,ss.55to64. U.P.Act4,1910,ss.49,60to 69.

[1] E. B. & A. Act 1, 1910, will come into force when notified.

EXCISE—*contd.*

3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*contd.*

(c) OFFENCES, PENALTIES AND PROCEDURE—*contd.*

Liability of person on whose behalf exciseable article is manufactured, sold or possessed by another; liability of licensee for act of servant	Ben.Act5,1909,ss.55to57. U.P.Act4,1910,s.71.
Investigation of excise offences by Excise-officers	Ben.Act5,1909,ss.73,74. U.P.Act4,1910,ss.49,54.
Cognizance of offences: what Magistrates to exercise jurisdiction over	Ben.Act5,1909,ss.82,83. [1]E.B.&A.Act1,1910,ss.65,66.
Report of offences to be made by rural policemen	(As.)Reg.1,1883,s.18(*10*). (Ben.)Ben.Act5,1909,s.71(*2*).
Powers of entry, inspection, search, seizure and arrest	Act12,1896,ss.35to44. Ben.Act5,1909,ss.66to 0,79,81. Bom.Act5,1878,ss.36to38,40. [1]E.B.&A.Act1,1910,ss.37to41. Mad.Act1,1886,ss.30to36. U.P.Act4,1910,ss.48,50to54.
Persons arrested and articles seized, how to be dealt with	Act12,1896,ss.41,42. Ben.Act5,1909,ss.75to78. Bom.Act5,1878,s.41. [1]E.B.&A.Act1,1910,ss.44to 48. Mad.Act1,1886,ss.40to43,50to52(s.40am.Mad.Act1,1905,ss.4,5).
Security and bail	Ben.Act5,1909,s.75. [1]E.B.&A.Act1,1910,s.49. Mad.Act1,1886,s.5A(ins.Mad.Act1,1905,s.2). U.P.Act4,1910,s.55.
Presumption as to offence when possession not satisfactorily accounted for	Ben.Act5,1909,s.47. [1]E.B.&A.Act1,1910,s.67. U.P.Act4,1910,s.71.
Confiscation of articles	Act12,1896,ss.45,46,48,51,61 Ben.Act5,1909,ss.63to65. Bom.Act5,1878,ss.54,55,58. [1] E.B.&A.Act1,1910,ss.67,68. Mad.Act1,1886,ss.65,66. U.P.Act4,1910,ss.72,73.
Attachment of crop of hemp alleged to be illegally cultivated	Bom.Act5,1878,s.58A.
Summoning and examination of witnesses by Excise-officers	Mad.Act1,1886,ss.44to49.
Compounding of offences	Ben.Act5,1909,s.65. [1]E.B.&A.Act1,1910,s.70. Mad.Act1,1886,s.67. U.P.Act4,1910,s.74.

[1] E. B. & A. Act 1, 1910, will come into force when notified.

EXCISE—*contd.*

3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*contd.*

(*c*) OFFENCES, PENALTIES AND PROCEDURE—*concld.*

Execution of sentences and recovery of fines	Mad.Act1,1886,s.68.
Imprisonment in civil jail only, in certain cases	Act12,1896,s.58.
Certain persons bound to report offences to Excise-officer, and to prevent offences	Ben.Act5,1909,s.72. [1]E.B.&A.Act1;1910,ss. 50, 51. Mad.Act1,1886,ss.38,39. U.P.Act4,1910,ss.56,57.
Police-officers ; duties and powers of	Act12,1896,ss.43,44. Ben.Act5,1909,ss.67,71,77 to79. Bom.Act5,1878,ss.39to42. Mad.Act1,1886,ss.31to35, 37,53,54. U.P.Act4,1910,s.58.
Officers of other Departments bound to assist Excise-officers	Act12,1896,s.43. Ben.Act5,1909,s.71. Bom.Act5,1878,s.39. [1]E.B.&A.Act1,1910,s.50. Mad.Act1,1886,s.37. U.P.Act4,1910,s.56.
Rewards to officers and informers	Act12,1896,s.60. Bom.Act5,1878,s.59.
Prosecutions in certain cases, to be instituted only on official information	Act12,1896,s.57. Ben.Act5,1909,s.83. [1]E.B.&A.Act1,1910,s.65 (*1*). U.P.Act4,1910,s.70(*1*).
limitation of	Act12,1896,s.57. [1]E.B.&A.Act1,1910,s.65 (*2*). Bom.Act5,1878,s.67. Mad.Act1,1886,s.72. U.P.Act4,1910,s.70(*2*).
Actions against Government or Excise-offic	
when barred ; limitation	Ben.Act5,1909,ss.91,92. Bom.Act5,1878,s.67. [1]E.B.&A.Act1,1910,ss. 76,77. Mad.Act1,1886,s.72. U.P.Act4,1910,s.78.
costs	Mad.Act1,1886,s.72.
Appeals from orders	Act12,1896,s.64. Ben.Act5,1909,ss.8,85(*2*) (*c*). Bom.Act5,1878,s.60. [1]E.B.&A.Act1,1910,ss.9, 36(*2*)(*c*). U.P.Act4,1910,ss.11,40(*2*) (*c*).
Proceedings before Collector under E. B. & A. Act I, 1910, to be deemed judicial proceedings : power to punish for contempt	[1]E.B.&A.Act1,1910,s.71.

In cantonment. *See* CANTONMENT, 2.

[1] E. B. & A. Act 1,1910, will come into force when notified.

EXCISE—*concld.*

3. Spirituous and Fermented Liquor and Intoxicating Drugs (other than Opium)—*concld.*

(*d*) MISCELLANEOUS.

Spirit on which excise-duty has been paid; differential customs-duty payable on imports coastwise of . . . Act8,1894,s.7.
" duty on importation of country spirit from one customs-port to another . . . . . Act8,1878,ss.148,151.
" exportation of country spirit under bond for duty . . " ss.144to146.
" duty recoverable on deficiency of country spirit removed for exporation under bond . . . . " s.147.
" " to be paid on removal for local consumption of country spirit intended for exportation . . " s.149.
" re-landing of spirit shipped for exportation . . . " ss.154,167(*60*).
" duty; rum-shrub, cordial and other such liquor how charged with, under Sea Customs Act . . . " s.152.
" to be used exclusively in arts or manufactures or in chemistry—
rate of duty . . . . . Act16,1863,s.1.
levy of duty . . . . . " ss.1,2.
provisions for ascertaining that such spirit is unfit, and for preventing its being rendered fit, for human consumption . . . . . " ss.1to7,9. Act8,1878,s.155.
" and fermented liquor: drawback on exportation to foreign port of—
country spirit . . . . . " s.150.
" fermented liquor . . . . . Act13,1890,s.9.
" conditions precedent to allowing drawback or remitting duty on spirit shipped for exportation . . . Act8,1878,s.153.
Excise in Upper Burma Hills. *See* CHIN HILLS, 5.
" in Chittagong Hill Tracts. *See* CHITTAGONG HILL TRACTS.

4. Other Articles.

See OPIUM; SALT; TOBACCO.

EXECUTOR.
Definitions of. *See* WORDS AND PHRASES.
Status, rights, etc., of. *See* ADMINISTRATION OF ESTATES.

EX-KING THEBAW'S ACT, 1895 . . . . . Act20,1895.
EXPATRIATION. *See* BRITISH SUBJECT, 2 (*b*).
EXPLOSIVE SUBSTANCES ACT, 1908 (*See* EXPLOSIVE) . Act6,1908.
EXPLOSIVES ACT (INDIAN), 1884 . . . . . Act4,1884.

EXPLOSIVE.

1. Generally.

Act 6, 1908, extends to whole of British India and applies also to certain persons beyond British India . . . . . Act6,1908,s.1.
" Explosive substance" defined . . . . . " s.2.
Penalties . . . . . " ss.3to5.
Abettors, punishment of . . . . . " s.6.
Offence under Act not to be tried without consent of Government . . . . . " s.7.
" " " may be tried under Act 14,1908 . . Act14,1908,s.2,Sch.

EXPLOSIVE—*contd.*

Generally—*contd.*

Act 4, 1884, extends to whole of British India	Act4,1884,s.1.
„ „ declared in force in Santhal Parganas	Reg.3,1872,s.3,Sch.
„ „ „ „ Upper Burma, except Shan States	Act13,1898,s.4,Sch.I.
„ „ not to affect possession, etc., by or for Government or by volunteer	Act4,1884,s.14.
„ „ „ „ Arms Act, 1878	„ s.15.
Definitions	„ s.4.
Power to extend definition of "explosive" to other substances	„ s.17.
Power of Government to make rules for licensing manufacture, possession, use, sale, transport and importation of	„ s.5.
Specially dangerous :	
Power to prohibit or regulate manufacture, possession or importation of ; penalty	Act4,1884,s.6(*1*),(*5*).
Powers of Sea Customs-officers with respect to	„ s.6(*2*).
Power to make rules as to inspection, search, seizure, etc., of	„ s.7.
Accidents ; notice of, and enquiry into	„ ss.8,9.
Forfeiture of, on conviction	„ s.10.
Arrest without warrant for dangerous offence	„ s.13.
Distress of vessel for recovery of fine	„ s.11.
Abetment of offence and attempts ; punishment of	„ s.12.
Prosecutions under other laws not barred, but only one punishment allowed	„ s.16.
Procedure for making, etc., rules	„ s.18.
Control over storing of, in municipalities :	
See under MUNICIPALITY (*sub-heading*, "The Public Health, Safety and Convenience").	
Carriage of, on railway	Act9,1890,s.59.
„ „ on tramway. *See* TRAMWAY, 4 (*a*), 5 ; TRAMWAYS, A, 4 (*a*), 5.	
„ „ by sea. *See* MERCHANT SHIPPING, 7 (*b*).	
Regulation of dealings with, in Andamans. *See* ANDAMAN AND NICOBAR ISLANDS, 5.	
Punishment for negligent conduct with respect to	Act45,1860,s.286.
Power of Commissioner of Police to issue warrant to search for and seize explosives ; exemption of Government powder or buildings	(Cal.)Ben.Act4,1866,ss.60, 61 (am.Ben.Act3,1910,ss. 14,15). (Cal.Sub.)Ben.Act2,1866, ss.37,38(am.Ben.Act3, 1910,ss.14,15).
Power of Commissioner of Police to make rules for licensing, controlling or prohibiting the carrying of explosive substance in streets, etc. ; penalty	(Cal.)Ben.Act4,1866,ss.62, (*1*)(*g*),62(*2*)(sub.Ben.Act3, 1910,s.16). (Cal.Sub.)Ben.Act2,1866, ss.39(*1*)(*g*),39(*2*)(sub.Ben. Act3,1910,s.16). (Bom.City)Bom.Act4. 1902,ss.22(*1*)(*f*)(*iv*),127.

See also POST OFFICE (INDIAN LAW), 3, 6.

EXPLOSIVE—*contd.*

2. Gunpowder.

Penalty for manufacture or unlicensed possession of	(Cal.)Ben.Act4,1866, s.57. (Cal.Sub.)Ben.Act2,1866, s.34. (Howrah)Act21,1857,s.18.
Licensing by police of transport of; search; penalties	(Cal.)Ben.Act4,1866,ss.58 to 60. (Cal.Sub.)Ben.Act2,1866, s.36.
" " of sale and possession of; penalties	(Howrah)Act21,1857,s.19.
Ben. Act 4, 1866, ss. 57, 59, Ben. Act 2, 1866, ss. 34, 36, not to apply to Government powder or buildings	(Cal.)Ben.Act4,1866,s.61 (am.Ben.Act3,1910,s.15). (Cal.Sub.)Ben.Act2, 1866,s.38(am.Ben. Act3,1910,s.15).

Licensing of gunpowder and firework manufactories in municipalities:
See MUNICIPALITY, XIV, XV; sub-headings 6 (*q*) and 6 (*o*) respectively.
See also ARMS, AMMUNITION AND MILITARY STORES; CHIN HILLS, 5.

EXTORTION. *See* CRIMINAL LAW (INDIAN), 15.

EXTRADITION ACT, 1870 (*See* EVIDENCE, 1; EXTRADITION)	33-4V.c.52.
" " 1873	36-7V.c.60.
" " 1895	58-9V.c.33.
" " 1906	6Edw.7,c.15.
" (INDIA) ACT, 1903	Act15,1903.

EXTRADITION OF CRIMINALS.

1870. 33-4 V. c. 52 [1] (Extradition).
1873. 36-7 V. c. 60 [1] (Extradition).
" 36-7 V. c. 88, s. 27 (Slave Trade).
1895. 58-9 V. c. 33 [1] (Extradition).
1903. Act 15 (Extradition).
1906. 6 Edw. 7, c. 15 [2] (Extradition).

1. ENGLISH LAW.

(*a*) JURISDICTION.

Application of Acts by Order in Council where arrangement made with foreign State	33-4V.c.52,ss.2,4,5,21.
Extradition crimes; enumeration of	" s.26,Sch.I. 36-7V.c.60,s.8,Sch.
" " offences as to slave trade to be	36-7V.c.88,s.27.
" " bribery to be included in list of	6Edw.7,c.15,s.1.
Liability of fugitive criminals of foreign State to which Acts apply, accused or convicted of extradition crimes, to apprehension and surrender in British dominions	33-4V.c.52,s.6. 36-7V.c.60,s.6.
Liability of accessories, aiders and abettors to apprehension, etc.	" s.3.
Criminal not to be surrendered for political offence, and restrictions as to surrender	33-4V.c.52,s.3.
Criminal surrendered by foreign State not liable for other offence than that on which surrender grounded	" s.19.

[1] Collective title ("Extradition Acts, 1870 to 1895") given by 58 & 59 V. ch. 33, s. 2.
Collective title ("Extradition Acts, 1870 to 1906") given by 6 Edw. 7, c. 15, s. 2.

EXTRADITION OF CRIMINALS—*contd.*

1. ENGLISH LAW—*contd.*

(*b*) PROCEDURE.

Requisition to Secretary of State for surrender; order to Police Magistrate to issue warrant for apprehension	33-4V.c.52,s.7. 36-7V.c.60,s.7.
Refusal of order, and discharge of criminal, if offence political	33-4V.c.52,s.7.
Issue and execution of warrant; Magistrate; place of hearing and custody	„ ss.8,13,20, Sch.II. 58-9V.c.33.
Examination of criminal; committal or discharge; right to apply for *habeas corpus*, if committed	33-4V.c.52,ss.9to11.
What depositions, etc., receivable in evidence; authentication of foreign warrants, etc.	„ ss.14,15. 36-7V.c.60,s.4.
Surrender of criminal, and conveyance to foreign State	33-4V.c.52,ss.11,12.

(*c*) MISCELLANEOUS.

"Foreign State" to include dependencies and vessels thereof	„ s.25.
Provisions where surrender sought in respect of crime committed at sea	„ s.16. 36-7V.c.60,s.6.
Provisions as to surrender of fugitive criminals of foreign States in British Possessions (*see also below*, **2**)	33-4V.c.52,ss.17,18. 36-7V.c.60,s.7.
Saving of power as to extradition treaties with native Indian States or Asiatic States bordering on India	33-4V.c.52,s.23.
Apprehension of deserters from foreign ships. *See* MERCHANT SHIPPING, **2** (*g*).	
Arrest, etc., of fugitive offenders. *See* FUGITIVE OFFENDER.	
Power to Foreign State to obtain evidence in British dominions as to criminal matters, if not political. *See* EVIDENCE, I, 1.	
Trial and execution of sentence in British dominions in case of offences in places out of British dominions where Crown has jurisdiction. *See* FOREIGN JURISDICTION.	

2. INDIAN LAW.

(*a*) IN CASE OF FOREIGN STATES.

"Foreign State" defined	Act15,1903,s.2(*c*).
"Extradition offence" described	„ s.2(*6*),Sch.1.
Liability of fugitive criminal of foreign State to apprehension and surrender	„ ss.3,4.
Procedure: requisition for surrender; order on Magistrate for inquiry; issue of process and inquiry by Magistrate; committal or release on bail; Magistrate's report; reference to High Court of any important question of law	„ s.3(*1*)to(*7*).
Power of Magistrate to issue warrant for arrest of fugitive criminal in certain cases and procedure thereon	„ s.4.
Power of Government to issue warrant for surrender	„ s.3(*8*),(*9*).
Power of Government to refuse order for inquiry if offence is of a political character, to stay proceedings, cancel warrant and order discharge	„ s.5.
Power of High Court to order discharge of fugitive criminal in certain cases	„ s.3(*10*).
Provision for the exercise of powers conferred by 44, 45 V. c. 69	„ s.19.

EXTRADITION OF CRIMINALS—*concld.*

2. INDIAN LAW—*contd.*

(*b*) IN CASE OF OTHER STATES.

"Extradition offence" described	Act 15, 1903, s.2(*6*), Sch. 1.
Liability of fugitive criminal, not being a European British subject, who has committed or is supposed to have committed an extradition offence, to apprehension and surrender	" ss.7(*2*), 9, 14.
Conditional surrender where fugitive is accused of or undergoing sentence for offence in British India; suspension and revival of sentence	" s.11.
Procedure; issue of warrant by Political Agent and proceedings thereon	" s.7, 8.
" requisition by State and proceedings thereon	" s.9.
" power of Magistrate to issue warrant for arrest of fugitive criminal in certain cases and proceedings thereon	" s.10.
" exhibits, depositions and copies thereof and other documents if duly authenticated to be received in evidence	" s.17.
Provisions to apply to abetments and attempts and to persons convicted in the State of offence, abetment or attempt	" ss.12, 13.
Treaties for extradition; saving of provisions of	" s.18.

(*c*) GENERAL.

Surrender in case of offence committed at sea	" s.20.
Rules; power to make	" s.22.
Execution of commissions for taking evidence issued by Criminal Courts outside British India	" s.21.
Trial of British subjects in British India for offences committed out of British India. *See* CRIMINAL PROCEDURE (INDIAN), 8 (*1*).	

FACTORY.

Definition of "factory," "child," "mill-gearing" and "employed"	[1] Act 15, 1881, s.2.
Power to extend definition of "factory"	" s.20.
Crown factories subject to Act	" s.19
Power to exempt factory from Act in case of public emergency	" s.19.
Inspectors of; appointment, status, suspension and dismissal of	" s.3.
" general powers of	" s.4.
Certifying surgeons; appointment of, and grant of certificates of age by	" s.5.
Operatives:	
Daily stoppage of work for half an hour	" s.5A.
Sundays and holidays	" s.5B.
Women: limitation of hours of work for; notice of intervals of rest to be set up	" ss.6, 10.
" prohibition of employment of, in two factories on same day	" s.11.
Children under 9 not to be employed	" s.7(*1*).
" limitation of hours of work for; notice of intervals of rest to be set up	ss.7(*2*) " to(*4*), 10.

[1] Act 15, 1881, will be repealed on 1st July 1912, on the coming into force of Act 12, 1911.

FACTORY—*contd.*
Operatives—*contd.*
Children; prohibition of employment of—
in certain dangerous work . . . . . [1]Act15,1881,s.8.
in two factories on same day . . . . . ,, s.11.
,, register of . . . . . ,, s.9.
Fencing of fly-wheels, etc. . . . . ,, s.12.
Notice of accidents in . . . . . ,, s.13.
,, when beginning to occupy . . . . . ,, s.14.
Power of Local Government to make rules as to . . . ,, s.18.
Burden of proof as to age . . . . . ,, s.16.
Penalties . . . . . ,, s.15.
Occupier of, primarily liable for breaches of Act, orders or rules . ,, s.17.
Transmission and use of electrical energy in, by non-licensees . Act9,1910,s.30.
Stamping of length on piece-goods manufactured in . . . Act4,1889,s.12.

FAIR.
Not to be established without written permission of District Magistrate; penalty . . . . . Bom. Act4,1862,s.1.
Application for such permission; procedure to be followed by Magistrate before granting it . . . . . ,, ss.2,3.
Order by Magistrate granting or refusing such permission; appeal from order; penalty for breach of order . . . . . ,, ss.4,6,7.
Act not to extend to islands of Bombay and Kolaba . . . ,, s.8.
,, ,, apply to religious assemblies . . . . . ,, s.9.
,, ,, restrict Government's powers of control . . . ,, s.10.
To be under authority of Local Self-Government Boards:
See LOCAL SELF-GOVERNMENT, II, 3; III, 3; VIII, 3; IX, 3.
Holding of, in municipality:
See unde MUNICIPALITY (*sub-heading* "The Public Health, Safety and Convenience").
Power to make rules as to. *See* AJMERE, 4; CENTRAL PROVINCES, 3; OUDH, 6.
See also INFECTIOUS DISEASE.

FAIRWAYS.
Obstructions to navigation in fairways leading to ports in British India:
Power of Local Government to remove or destroy sunken vessel or other obstruction; Government entitled to recover expenses; notice of removal; sale of thing removed, for recovery of expenses . . . . . Act16,1861,ss.2,100.
Power of Governor General in Council to make rules to regulate or prohibit placing of fishing stakes, throwing of ballast, etc.; penalty for breach of rules; place of trial . ,, ss.8,9.
Compensation when payable for damage caused under Act . ,, s.10.
The word "vessel" to include tackle, cargo, etc. . . ,, s.7.
Act not to apply to vessels belonging to or hired by Government . . . . . ,, s.1.
Validation of past official action . . . . . ,, s.11.
Saving of other powers possessed by Government . . ,, s.12.

FAMINE LOANS RECOVERY ACT (U. P.), 1897. (*See* LOAN, B, 4) . . . . . U.P. Act1,1897.

[1] Act 15, 1881, will be repealed on 1st July 1912, on the coming into force of Act 12,1911.

FAMINE RELIEF.
Management of, by Local Self-government Boards:
See LOCAL SELF-GOVERNMENT, II, 3; III, 3; IV, 3; V, 3; VII, 3; VIII, 3; IX, 3.
Municipal Funds applicable to:
See under MUNICIPALITY (*sub-heading* "The Public Health, Safety and Convenience").
Application of local rates to:
See LOCAL RATES AND CESSES, A. E., F.
Power of Local Authority to borrow for. *See* LOAN, B, 2 (*b*).
Power of Government to lend money to agriculturists for. *See* LOAN, B, 3 (*b*).
FARCY. *See* ANIMAL, A.
FEES, JUDICIAL. *See* COURT-FEES; PROCESS-FEES.
FEMALE INFANTICIDE PREVENTION ACT, 1870 (*See* CENSUS; INFANTICIDE; POLICE, 1; REGISTRATION OF BIRTHS, ETC.) . . . . . Act8,1870.
FENCING SCHOOL. *See* PLACES OF PUBLIC RESORT, ETC.
FERMENTED LIQUOR. *See* EXCISE, 3.
FERRIES ACT (BENGAL), 1885 . . . . . Ben.Act1,1885.
" " (BOMBAY), 1868 . . . . . Bom.Act2,1868.
" " (BURMA), 1898 . . . . . Bur.Act2,1898.
" " (NORTHERN INDIA), 1878 . . . . Act17,1878.
" " AMENDMENT ACT (NORTHERN INDIA), 1886[1] . . . . . Act3,1886.
FERRY.
1868. Bom. Act 2 (Ferries).
1878 Act 17 [Ferries; Ajmere, Assam, Sambalpur District (Bengal), Central Provinces, Coorg, N.-W. Frontier Province, Punjab and United Provinces.]
1883. Act 1, s. 23 (Local Self-government, Central Provinces).
1884. Bom. Act 1, s. 44 (Local Boards).
1885. Ben. Act 1 (Ferries).
1889. Reg. 3, ss. 37 to 46 (Land and Revenue, Upper Burma).
1890. Mad. Act 2, ss. 3, 8 to 20 (Canals and Ferries).
1898. Bur. Act 2 (Ferries, Burma).
1901. Act 2, ss. 3 to 6 (Tolls, Army).
" Reg. 7, s. 3 (Laws, N.-W. Frontier).
General exemption from tolls, etc., of persons, property, etc., belonging to the Army; compensation . . . . Act2,1901,ss.3to6.
Maintenance of ferries by Railway Company. *See* RAILWAY, 6 (*a*).
I.—AJMER, ASSAM, SAMBALPUR DISTRICT (BENGAL), CENTRAL PROVINCES, COORG, N.-W. FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES.
1. Preliminary.
2. Establishment, etc., and working.
3. Supplemental.
II.—BENGAL (EXCEPT SAMBALPUR) AND EASTERN BENGAL
III.—BOMBAY PRESIDENCY . . . . 1. Establishment, etc., and working. 2. Supplemental.
IV.—BURMA . . . . . 1. Preliminary. 2. Establishment, etc., and working. 3. Supplemental.
V.—MADRAS PRESIDENCY . . . .

[1] This short title was given by Act 5, 1897, s. 4.

FERRY—*contd.*

I.—AJMER, ASSAM, SAMBALPUR DISTRICT (BENGAL), CENTRAL PROVINCES, COORG [1], N.-W. FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES.

1. Preliminary.

Definition of "ferry" . . . . . Act17,1878,s.3.

2. Establishment, etc., and working.

Public ferries :

Power of Government to declare, establish, define limits of, change course of, and discontinue ; compensation when private ferry taken up . . . . . „ ss.4,5.

Tolls to be levied, except on persons and things employed or transmitted on public service ; power of Local Government to exempt persons and things from payment ; abatement of rent payable by lessee when exemption made . . . „ s.15.

S. 15 rep. as to certain exemptions ; general exemption of persons, property, etc., belonging to Army . . . Act2,1901,s.8.

Superintendence of . . . . . Act17,1878,s.6.

To be under authority of Local Self-Government Boards :

See LOCAL SELF-GOVERNMENT, V, 3 ; VIII, 3 ; IX, 3.

Transfer of, to Municipal Commissioners, Assam. *See* MUNICIPALITY, IV A, 4 ; VI, 4.

Transfer of management of, with proceeds, to—

Municipal Commissioners . . . . . Act17,1878,s.7.

District Council or Local Board . . . . . (Sambalpur District and C.P.) Act 17, 1878, s. 7A.

District Board . . . . . (U.P.)Act17,1878,s.7A.[2]

District Board or Local Board . . . . . (N.-W.Fr.andP.)Act17, 1878,s.7A.

Leasing of tolls . . . . . Act17,1878,ss.8,12.

Recovery of arrears from lessee . . . . . „ s.9.

Cancellation and surrender of lease ; compensation when payable . . . . . „ ss.10,11,24.

Power to take possession of ferry-boats, etc., on surrender or cancellation of lease ; compensation . . . . . „ s.32.

Power to make rules as to management, etc. ; penalties for breach of rules . . . . . „ s.12(am.in N.-W.Fr.,Reg.7,1901,s. 3),ss.21,23,24.

Persons using approaches or landing-places to pay the toll . Act17,1878,s.14.

Compounding for tolls . . . . . „ ss.12(*c*),18.

Table and list of tolls ; penalties . . . . . „ ss.15,16,21.

Private ferries :

Power to declare them to be public ferries ; compensation . „ ss.4(*b*),5.

Not to ply within two miles of public ferry without sanction ; exceptions ; penalty . . . . . „ ss.13,26.

Power of Commissioner to make rules for maintenance of order and for safety of passengers and property ; penalty for breach of rule . . . . . „ ss.19,23.

Tolls not to exceed highest rates fixed for similar public ferries ; penalty . . . . . „ ss.20,22.

[1] Act 17, 1878 (except ss. 2, 7A and 17 and part of s. 1), has been extended to Coorg, by notification under the Scheduled Districts Act, 1874.

[2] Act 14,1883, by which s.7A was inserted in United Provinces, has been repealed by U. P. Act 3, 1906 ; see however s. 42 (*1*) *i*) of the latter Act, where s. 7A of Act 17, 1878, is referred to.

FERRY—*contd.*

I.—AJMERE, ASSAM, SAMBALPUR DISTRICT (BENGAL), CENTRAL PROVINCES, COORG[1] N.-W. FRONTIER PROVINCES, PUNJAB AND UNITED PROVINCES—*contd.*

2. Establishment, etc., and working—*contd.*

Power of District Magistrate to take possession of ferry-boats, etc., in case of emergency ; compensation	Act 17,1878,s.33.
Offences and penalties	,, ss.21 to 26, 28.

3. Supplemental.

Application of tolls, rents, compensation and fines	,, s.17(am.in C. P.,Act4,1907,s.2), (Sambalpur and C.P.)Act 1,1883,s.23(*1*)(*e*).
Certain fines payable to lessee of tolls	Act17,1878,s.27.
Arrest without warrant	,, s.29.
Summary trial of offences	,, s.30.
Payment of damages by offender	,, s.31.
Bar to jurisdiction of Civil Courts in questions of compensation or abatement of rent	,, s.34.
Relegation of Local Government's powers	,, s.35.
Modification of Act 17, 1878, in North-West Frontier Province.	Reg.7,1901,s.3,Sch.1.

II.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

1. Preliminary.

Definitions	Ben.Act1,1885,s.5.
Ben. Act 1, 1885, does not extend to municipal ferries	,, s.4.

2. Establishment, etc., and working.

Public ferries :

Power of Local Government to declare, establish, define limits of, change course of, and discontinue ; compensation when private ferry taken up, etc.	,, ss.6,17.
Tolls to be levied, except on persons and things employed or transmitted on public service ; power of Local Government to exempt persons and things from payment ; abatement of rent payable by lessee when exemption made	,, s.18.
S. 18 rep. as to certain exemptions ; general exemption of persons, property, etc., belonging to Army	Act2,1901.
Control and superintendence of	Ben.Act1,1885,ss.7,8.
Transfer of management of, with proceeds, to District Board ; powers of Board	,, s.35.
Transfer of, to Municipal Commissioners. *See* MUNICIPALITY, VI, 4.	
Establishment and maintenance of subsidiary ferries ; compensation	,, ss.11,17.
Leasing of tolls	,, ss.9,10,15.
Recovery of arrears from lessee	,, s.12.
Cancellation and surrender of lease ; compensation when payable	,, ss.13,14,26.
Power to take possession of ferry-boats, etc., on cancellation or surrender of lease ; compensation	,, s.33.

[1] See first footnote on p. 274.

FERRY—*contd.*

II.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

2. Establishment, etc., and working—*contd.*

Public ferries—*contd.*

Power to make rules as to management, etc.; penalty for breach of rules	Ben. Act 1, 1885,	ss. 15, 25.
Compounding for tolls	,,	ss. 15(*c*), 21.
Table and list of tolls; penalty	,,	ss. 19, 23.
Private ferries:		
Definition	,,	s. 5.
Power to declare them to be public ferries; compensation	,,	ss. 6, 17.
Not to ply within two miles of public ferry without sanction; exceptions; penalty	,,	ss. 16, 28.
Power of Commissioner to make rules for maintenance of order and for safety of passengers and property; penalty for breach of rule	,,	ss. 22, 25.
Power of District Magistrate to take possession of ferry-boats, etc., in case of emergency; compensation	,,	s. 34.
Offences and penalties	,,	ss. 23 to 28, 30.

3. Supplemental.

Application of tolls, rents and compensation received by Government, and fines	,,	s. 20.
Certain fines payable to lessee of tolls	,,	s. 29.
Arrest without warrant	,,	s. 31.
Payment of damages by offender	,,	s. 32.
Delegation of Local Government's powers	,,	s. 36.

III.—BOMBAY PRESIDENCY.

1. Establishment, etc., and working.

Public ferries:

Power of Local Government to declare, establish and discontinue	Bom. Act 2, 1868,	s. 2.
Tolls to be levied, except on police-officers and persons in custody of police; power of Local Government to exempt persons from payment	,,	s. 3.
S. 3 rep. as to certain exemptions: general exemption of all persons, property, etc., belonging to the Army		Act 2, 1901.
Appointment and salaries of toll-keepers, ferrymen, etc.	Bom. Act 2, 1868,	s. 4.
Leasing of ferries; recovery of arrears from lessee; duties of servants of lessee, etc.	,,	ss. 5, 6.
Table of tolls; penalty	,,	s. 8.
Power to make rules as to management, etc.; penalty for breach of rules	,,	s. 12.
Offences and penalties	,,	ss. 8 to 14, 14A.

2. Supplemental.

Tolls and rents of public ferries, and fines, to form ferry-fund; application thereof	Bom. Act 2, 1868,	s. 16 (rep. except in Aden and Bo. City, Bom. Act 1, 1884, s. 2).

FERRY—*contd.*

III.—BOMBAY PRESIDENCY—*contd.*

2. Supplemental—*contd.*

Net proceeds of public ferries, and fines, to be credited to Local Fund constituted by Bombay Local Boards Act, 1884	Bom.Act1,1884,s.44(*c*).
Trial of offences by Magistrates ; recovery of fines	Bom.Act2,1868,s.15.
Payment of damages by offender	,, s.12.
Delegation of Local Government's powers	,, s.17.

IV.—BURMA

1. Preliminary.

Bur. Act 2, 1898, extends to Burma, including Upper Burma (except the Shan States)	Bur.Act2,1898,s.1.

2. Establishment, etc., and working.

Public ferries :	
Power of Local Government to declare, establish, change course of and discontinue	,, s.4(*a*)to(*e*).
Tolls to be levied ; power of Local Government to exempt persons and things from payment ; abatement of rent payable by lessee when exemption made	,, s.16.
S. 16 rep. as to certain exemptions : general exemption of all persons, property, etc., belonging to the Army	Act2,1
Superintendence of	Bur.Act2,1898,s.5.
Transfer of management of, with proceeds, to Municipality or Town Committee	,, s.6.
Leasing of tolls ; lessee to conform to rules and obey lawful orders : recovery of rent, etc., due in respect of lease	,, ss.7,8.
Lessee may surrender but not transfer lease without permission	,, ss.9,10.
Cancellation of lease	,, s.11.
Powers of Superintendent	,, s.14.
Power to make rules as to management, etc. ; penalty for breach of rules ; publication of rules	,, ss.8,12,13.
Table and list of tolls ; penalty	,, s.18.
Private ferries :	
Not to ply within limits of public ferry without sanction ; exceptions	,, s.15.
Offences and penalties ; arrest without warrant	,, ss.20to28.

3. Supplemental.

Tolls and rents to be credited to District Fund	Bur.Act2,1898,ss.4(*f*),19.
Certain fines payable to lessee of tolls	,, s.30.
Trial of offences	,, s.31.
Payment of damages by offender	,, s.29.
Delegation of powers	,, s.32.
Power to take possession of boats, etc., in case of public emergency	,, s.33.
Bar of suit	,, s.34.
Recovery of revenue payable on account of ferries	(U.B.)Reg.3,1889,ss.37to 46.

FERRY—*concld.*

V.—MADRAS PRESIDENCY

1. Preliminary.

Definition of "vessel," "ferry" and "public ferry" . . . Mad. Act 2, 1890, s. 3.

2. Establishment, etc., and working.

Power to declare ferry to be subject to Act; cessation of pre-existing rights; compensation . . . . . „ ss. 8, 9.
Management of public ferries; licensing ferry-boats; imposition of fees for licenses and tolls for use of ferry . . . . „ s. 10.
Transfer of management of public ferry, with revenue therefrom, to Local Board or Municipal Council; powers of Board or Council . . . . . „ s. 11.
Collection or leasing of fees or tolls . . . . . „ s. 12.
Recovery of dues . . . . . „ ss. 13, 14.
Form and conditions of licenses . . . . . „ s. 15.
Rules: power to make; penalty for breach of . . . . „ ss. 16, 17.
Penalty for establishing or working ferry contrary to Act . . „ 18.
„ „ evasion of, or unauthorised collection of, toll or fee . „ s. 19.

3. Supplemental.

Confiscation of vessel, etc., on conviction of offence . . . „ s. 20.

FILTH.

Removal of. *See cross-references from* DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

FINANCE ACT, 1894. (*See* DEATH DUTIES) . . . . . 57-8 V. c. 30.

FINANCE.

1857-8. 21-2 V. c. 106, ss. 2, 41 to 43, 45, 47 to 49, 51 to 53, 55 (Control of Secretary of State, etc.).
1859. 22 V. c. 11[1] (Loan).
„ 22-3 V. c. 39[1] (Loan).
„ 22-3 V. c. 41, s. 3 (Bank of England).
1860. 23-4 V. c. 5[1] (Loan).
„ 23-4 V. c. 102[1] (Stock).
„ 23-4 V. c. 130[1] (Loan).
1861. 24-5 V. c. 3, s. 10 (Stock).
„ 24-5 V. c. 25[1] (Loan).
1862. 25-6 V. c. 7[1] (Stock).
1869. 32-3 V. c. 106[1] (Loan).
1871. 34-5 V. c. 29[1] (Stock).
1873. 36-7 V. c. 17[1] (Stock).
„ 36-7 V. c. 32[1] (Loan).
1874. 37-8 V. c. 3[1] (Loan).
1877. 40-1 V. c. 51[1] (Loan).
1879. 42-3 V. c. 43 (Stock).
1879. 42-3 V. c. 60[1] (Loan).
1880. 43 V. c. 10 (Loan).
„ 43 V. c. 11[1] (Stock).
1881. 44-5 V. c. 53 (Stock).
„ 44-5 V. c. 53 (Auditors).
1884-5. 48-9 V. c. 25[1] (Unclaimed Stock, etc.).
„ 48-9 V. c. 28[1] (Loan).
1887. 50-1 V. c. 11 (Stock Conversion).
1888. 51-2 V. c. 5 (Railways).
1890. 53-4 V. c. 6 (South Indian Railway).
1893. 56-7 V. c. 53, s. 1 (Stock).
„ 56-7 V. c. 70[1] (Loan).
1897. 60 V. c. 11 (Funds).
1898. 61-2 V. c. 13 (Loan).
1901. 1 Edw. 7, c. 25 (Loan).
1905. 5 Edw. 7, c. 19 (Loan).
1908. 8 Edw. 7, c. 54 (Loan).
1910. 10 Edw. 7, c. 5 (Loan).

[1] Collective title ("East India Loans Acts——" given by 59 & 60 Vict. c. 14.

FINANCE—*contd.*

Control by Secretary of State in Council, and application of Indian revenues	21-2V.c.106,ss.21,41to43, 45,47to49, 51to53.
Account of Secretary of State in Council at Bank of England; management and transfer of stock at Banks of England and Ireland; certificates of title, etc.	„ ss.43,45,47,48. 22-3V.c.41,s.3. 23-4V.c.102. 24-5V.c.3,s.10. 25-6V.c.7. 36-7V.c.17. 43V.c.11.
Audit of accounts of expenditure, etc., in Great Britain, and appointment, salaries, etc., of auditor and assistants	21-2V.c.106,s.52. 44-5V.c.63.
Accounts to be laid annually before Parliament, and half-yearly returns as to loans	21-2V.c.106,s.53. 37-8V.c.3,s.15. 42-3V.c. 60,s.15.
Borrowing by Secretary of State in Council on security of Indian revenues; composition for stamp-duty; forgery of bonds and debentures, and provisions as to loans	22V.c.11. 22-3V.c.39. 23-4V.c.5. 23-4V.c.130. 24-5V.c.25. 32-3V.c.106. 36-7V.c.32. 37-8V.c.3. 40-1V.c.51. 42-3V.c.60. 43V.c.10. 48-9V.c.28. 56-7V.c.70. 61-2V.c.13. 1Edw.7,c.25. 5Edw.7,c.19. 8Edw.7,c.54. 10Edw.7,c.5.
„ for purchase of Oudh, etc., railway, and construction of other railways	51-2V.c.5.
„ „ „ South Indian Railway	53-4V.c.6
Power to trustees to invest in East India stock	50-1V.c.11,s.3. 51-2V.c.5,s.18. 53-4V.c.6,s.17. 56-7V.c.53,s.1.
Transfers of Indian Government loans exempt from stamp-duty	23-4V.c.5,s.2.
Sending dividend warrants by post	34-5V.c.29. 43V.c.10,s.16. 43V.c.11,s.4.
Management of security fund, and redemption of East India stock dividends	36-7V.c.17,ss.16to18.
Transfer to Secretary of State of unclaimed redemption money and dividends for 10 years from 1874	ss.24,25,27 „ to34,37.
„ „ „ of unclaimed redemption moneys, stock and dividends generally	48-9V.c.25,ss.2to16.
„ „ „ of Regular and Elders Widows' Funds	60V.c.11.
Creation of stock for purchase of annuity created under East Indian Railway Company Purchase Act, 1879, or for redemption of other liabilities, and creation of sinking fund for reduction of debt	42-3V.c.43. 44-5V.c.53. 48-9V.c.25,s.25[1].

[1] *See also* 55 & 56 Vict. c. 10, s. 29.

FINANCE—*concld.*

Half-yearly returns as to sinking fund under East Indian Railway Company Purchase Act, 1879 . . . . . 42-3V.c.43,s.7.

Loan for paying off debentures of East Indian Railway Company 43V.c.10.

Repayment to Secretary of State of unclaimed East Indian Railway annuities, and of unclaimed sums paid for discharge of guaranteed railway debentures . . . . . 48-9V.c.25,ss.17to20.

Transfers to or by Secretary of State exempt from stamp-duty . ,, s.21.

Conversion of India 4 per cent. stock into 3½ per cent. stock . 50-1V.c.11.

Restriction on applying Indian revenues for operations beyond frontier . . . . . 21-2V.c.106,s.55.

See also FUNDS ; GOVERNMENT OF INDIA, 1, 2 (*d*) ; TAXES.

FINANCIAL COMMISSIONER, BURMA.

Power to appoint and remove . . . . . Act18,1888,s.2.

Subordination of, to Local Government ; his functions . . ,, s.3.

To be "Chief Revenue-authority" and "Chief Controlling Revenue-authority" . . . . . ,, s.4.

Delegation to, of certain functions of Local Government . . ,, s.5.

Upper Burma. *See* LAND-REVENUE, X, 1, 4.

FINANCIAL COMMISSIONER, CENTRAL PROVINCES.

Appointment ; etc., of ; assignment of powers to . . . Act13,1908,ss.2,3.

Subordination of, to Local Government, and subordination of other revenue-officers to . . . . . Act18,1881,s.6(sub.Act13, 1908,s.4).

FINANCIAL COMMISSIONER, PUNJAB.

Appointment, etc., of one or more . . . . . Act17,1887,ss.6,7.

Subordination of, to Local Government . . . . . ,, s.11.

Distribution of business, and procedure on difference of opinion, among, if more than one . . . . . ,, s.7(*2*),(*3*).

Powers and functions of . . . . . ,, ss.6,7,9,11,12, 24.

Powers of Local Government to confer on any person the powers of . . . . . ,, s.27.

See also LAND-REVENUE, XV.

FINDER.

Responsibility and rights of (*See also* TREASURE TROVE) . Act9,1872,ss.71,168,169.

FINES.

See CRIMINAL LAW (INDIAN), 2.

General provisions for recovery of. *See* CRIMINAL PROCEDURE (INDIAN), 9 (*3*).

FINE ARTS COPYRIGHT ACT, 1862.[1] (*See* COPYRIGHT) . . 25-6V.c.68.

FIRE.

I.—BENGAL ACT 1, 1893.

1. Preliminary.

Ben. Act 1, 1893, applies to Calcutta and suburbs and to Howrah, and may be extended to other municipalities in the neighbourhood by notification . . . . . Ben.Act1,1893,s.1.

Definitions . . . . . ,, s.3.

[1] This short title was given by 59 & 60 Vict. c. 14.

FIRE—*contd.*

I.—BENGAL ACT, 1, 1893—*contd.*

2. Warehouses for storing, pressing or keeping jute, cotton or other inflammable substances.

What buildings or places subject to Act "as warehouses"	Ben. Act 1, 1893,	s.3(*8*).
Power of Local Government to apply Act to other buildings and places	"	s.40.
Act not to apply to buildings or places containing small quantities of jute, cotton, etc.	"	s.45.
Not to be used unless licensed by Municipal Commissioners	"	s.4.
Provisions as to grant, refusal, conditions and duration of license and annual fee payable therefor	"	ss.5to10A, 24.
Form of license	"	s.44,Sch.
Report and fee on charge in occupation of warehouse; penalty	"	ss.11,17.
Suspension and cancellation of license	"	ss.12,13.
Penalties for breach of provisions of Act as to licenses	"	ss.14to16, 18.
Penalty for preparing or drying inflammable substance on roof of warehouse	"	s.19.
" " residing in jute or cotton warehouse	"	s.20.
" " using matches or artificial light in jute or cotton warehouse without proper protection	"	s.21.
" " smoking in jute or cotton warehouse	"	s.22.
Annual report by Municipal Commissioners as to working of Act	"	s.41.

3. Fire-brigade.

Commissioner of Police to maintain	"	s.30.
Power of Local Government to make orders as to maintenance, etc., of	"	s.31.
Powers exerciseable by officer in charge of, and by police, on occasion of fire; indemnity	"	ss.32to34.
Officer in charge of, to enquire into cause of fire and report to Magistrate; copies of reports and evidence to be furnished to applicants	"	s.35.
Annual report by Commissioner of Police to Local Government as to	"	s.41.
Funds:		
Annual estimate of receipts and expenditure on account of brigade	"	s.26.
Power of Municipal Commissioners to levy rates for maintenance of brigade	"	s.25.
Such rates to form part of the consolidated rate imposed under the Calcutta Municipal Act Recovery of such rates	"	s.28.
Payments to be made to Commissioner of Police by Municipal Commissioners to meet cost of brigade	"	s.23.
Proportionate liability of the several Municipalities for cost of brigade	"	s.29.
License-fees, rates and fines to be appropriated to maintenance of brigade	"	ss.24,36(*2*).
Jute warehouse funds of certain Municipalities appropriated to Fire Brigade Fund	"	s.27.

FIRE—*concld.*

BENGAL ACT 1, 1893—*contd.*

4. Miscellaneous.

Penalty for sending up fire-rockets or fire-balloons or selling fire-works without license; grant, suspension and withdrawal of such licenses, and fee therefor . . . . . Ben.Act1,1893,ss.36to38.

Arrest for offence under s. 36; disposal of arrested person . . „ ss.42,43.

Penalty on householder when rockets or fire-balloons sent up without written permission . . . . . „ s.39.

II.—OTHER ENACTMENTS.

Prevention and extinction of fire in municipalities:

See under MUNICIPALITY, (*sub-heading*, "The Public Health, Safety and Convenience)".

Duty of police to prevent loss or damage by fire . . . (Bom.City)Bom.Act4, 1902,s.32(*1*)(*l*). (Bom.)Bom.Act4,1890,s. 52(*f*). (Cal.)Ben.Act4,1866,s.10A (*1*)(*l*)(sub.Ben.Act3, 1910,s.5). (Cal.Sub.)Ben.Act2,1866, s.4A(*1*)(*l*)(sub.Ben.Act3, 1910,s.5). (Ran.)Bur.Act4,1899,s.16 (*11*).

Powers of police on occurrence of fire . . . . . (Mad.City)Mad.Act3, 1888,ss.61,62.

Punishment for negligent conduct with respect to fire or combustible substance . . . . . Act45,1860,s.285.

Protection of inland steam-vessels from danger by fire . . Act6,1884,ss.47to50.

Power of Port officials to require crews to prevent or extinguish fire in port; fire-extinguishing apparatus to be provided; penalty . . . . . Act15,1908,ss.16,28,32.

See also FOREST, 1, 2, 3; Policy of Insurance.

FISHERIES ACT (INDIAN), 1897 . . . . . Act4,1897.

„ „ (BURMA), 1905 . . . . . Bur.Act3,1905.

FISHERY. *See also* FISHING, PEARL FISHERY.

1879. Mad. Act 2 (Fishing, Nilgiris District).
1886. Reg. 1, ss. 16, 155 (Land and Revenue, Assam).
1889. Ben. Act 2 (Private Fisheries Eastern Bengal and Assam
1889. Reg. 3, ss. 32, 37 to 46, 53 (Land and Revenue, Upper Burma).
1897. Act 4 (Fisheries).
1905. Bur. Act 3 (Fisheries, Burma).

1. BRITISH INDIA GENERALLY, EXCEPT BURMA.
2. BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL AND ASSAM.
3. LOWER BURMA.
4. UPPER BURMA.
5. NILGIRIS DISTRICT, MADRAS PRESIDENCY.
6. CENTRAL PROVINCES AND SAMBALPUR DISTRICT (BENGAL).

1. BRITISH INDIA GENERALLY, EXCEPT BURMA.

Act 4, 1897, to be read as supplemental to other enactments relating to fisheries . . . . . Act4,1897,s.2.

Definition of "fish," "fixed engine" and "private water" . „ s.3.

FISHERY—*contd.*

1. BRITISH INDIA GENERALLY, EXCEPT BURMA—*contd.*

Penalty for destruction of fish by explosive in inland water or on coast	Act 4,1897,s.4.
" " " by poisoning of water	" s.5(*1*).
Power of Local Government to suspend operation of s. 5 (*1*) in local area	" s.5(*2*).
Power of Local Government to make rules to prohibit or regulate fixed engines or weirs, to regulate nets, or to prohibit fishing in specified water for two years; power to apply such rules to other than private waters, or, with consent, to private waters	" s.6.
Arrest without warrant for offence under Act; detention of person arrested	" s.7.

2. BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL AND ASSAM.

Power to declare water to be a fishery and make rules for grant of licenses, etc., to fish; bar to rights in fisheries, with savings	(As.)Reg.1,1886,ss.16,155 (*f*),(*g*).
Private fisheries:	
Definition of "fish," "fixed engine" and "private waters"	Ben.Act2,1889,s.2.
Penalties for fishing, or erecting fixed engine, etc., without authority in private waters; exception as to angling with rod and line in navigable river	" .3.
Removal of fixed engine and forfeiture of engine and of fish wrongfully taken	" s.4.
Penalty for wrongful entry	" s.5.
Offences under Act cognizable by police	" s.6.

3. LOWER BURMA.

Bur. Act, 1905, extends to Lower Burma in the first instance	Bur. Act 3, 1905, s.1.
Definitions	" s.3(am.Bur.Act6, 1909,s.3).
Exclusive right of fishing in "fishery" belongs by custom to Government	" preamble.
Fisheries to be under charge of Deputy Commissioner of district unless otherwise provided	" s.4(am.Bur.Act 6,1909,s.4).
Power to exempt fishery from provisions of Act	" s.5.
Classification of fisheries into "leasable," "reserved," "open" and "protected"	" s.8.
Right to fish acquirable only under Act; saving as to angling with rod and line, and saving of prior grants by British Government	" ss.6,7.
Disposal of right of fishing, by lease, etc.	" ss.8,9,10(ss.8,10 am.Bur.Act6,1909, ss,5,6).
Weir, bank or dam not to be erected, maintained or used in any fishery unless expressly permitted; penalty; power to order removal of, and recover expense	" ss.8-11,21(*c*),26.
New canal or channel which may affect any leasable or reserved fishery not to be made without permission; penalty; power to close canals and recover expense	" ss.12,23(*a*),26.
Dynamite, poison, etc., not to be used, except with permission, to facilitate catching of fish; penalty	" s.11A(ins.Bur. Act6,1909,s.7); " s.21(*d*).(*e*)(sub-Bur.Act6,1909. s.8).

FISHERY—*contd.*

3. LOWER BURMA—*contd.*

Provisions for protection of specified species of :

fish and of eggs of any species of turtle or tortoise ; penalty . Bur.Act3,1905,ss.13,14.

presumption against certain persons found in possession of such fish or eggs . . . . . „ s.23(*b*),(*c*).

Power of fishery officer to arrest certain offenders ; to enter houses or premises and search for, inspect and seize fishing implements, fish or eggs used or caught in contravention of Act or rules ; disposal of property seized . . . . . „ ss.17,19.

Power of fishery officer to search for poisons, etc., for killing, stupefying, etc., fish : complaint or report to Magistrate . „ ss.18,19.

Police-officers to aid fishery officers . . . . . „ s.20.

Penalty for wrongful arrest, seizure or search by fishery officer ; compensation to aggrieved person . . . . . „ s.24.

Penalty for unlawfully fishing, dynamiting or poisoning, etc., fish or interfering with lawful use of waters . . . . . „ s.21(*a*),(*b*),(*d*),(*e*),(*f*)(sub.Bur. Act6,1909,s.8).

Penalty for possession of materials for poisoning, etc., fish with intent to destroy and fish ; presumption against person found in possession of such materials . . . . . „ s.22(am.Bur.Act 6,1909,s.9).

Power of Court on conviction to order forfeiture of fishing implement, weir, etc., fish or eggs in respect of which offence committed . . . . . „ s.25.

Loans to fishermen for relief of distress, purchase of boats and other objects connected with their industry ; recovery of loans „ ss.32(*1*)(*i*), 28,29.

Fees, rents, etc., due to Government in respect of leases, licenses, etc., granted under Act . . . . . „ s.27.

Proceedings before Revenue-officers ; application of provisions of Act 2, 1876, and Regulation 3, 1889 . . . . . „ s.30.

Certain questions relating to fisheries arising in Civil Courts to be referred to Deputy Commissioner for decision ; appeal to higher Revenue-authority ; decision given by Deputy Commissioner on appeal conclusive . . . . . „ s.31.

Power to make rules ; penalty for breach of rule . . . „ s.32(am.Bur.Act 6,1909,s.10).

Exemption of fishery security bonds from registration . . „ s.33(ins.Bur.Act 6,1909,s.11).

4. UPPER BURMA.

Definition of "fishery," "to fish" and "fixed engine" . . Reg.3,1889,s.32(*1*).

All fisheries belong to Government ; right to fish acquirable only under Reg. 3, 1889, s. 32 . . . . . „ s.32(*2*).

Grant of leases or licenses . . . . . „ s.32(*3*).

Permission to angle with rod and line . . . . . „ s.32(*5*).

Power to remove fishery from operation of Regulation . . . „ s.32(*6*).

„ make rules as to fisheries . . . . . „ s.32(*7*).

Penalties for fishing without right . . . . . „ s.32(*8*).

Recovery of revenue payable on account of fishery . . . „ ss.37to46.

Bar to jurisdiction of Civil Courts . . . . . „ s.53(x),(xi).

Power to extend Burma Act 3, 1905, to any part of Upper Burma Bur.Act3,1905,s.1(*3*).

„ repeal in any local area in Upper Burma s. 32 and s. 53 (*2*) (x) of Reg. 3, 1889 . . . . . „ s.2(*2*)(sub, Bur.Act6

FISHERY—*concld.*

5. NILGIRIS DISTRICT, MADRAS PRESIDENCY.

Power to take special measures for protection of other than indigenous fish . . . . . Mad. Act 2, 1879, s. 4.
,, make rules for regulation and control of fishing . . ,, s. 5.
Penalty for breach of orders under s. 4 or s. 5; arrest; procedure; rewards to informers . . . . . ,, ss. 6 to 9.

6. CENTRAL PROVINCES.

Right of Government to fisheries . . . . . Act 18, 1881, s. 151.

FISHING.

Power to prohibit . . . . . (Mad. City) Mad. Act 3, 1904, s. 311.
Regulation of fishing stakes in lines of navigation. *See* FAIRWAYS.
Control over, in forests. *See* FOREST, 6.
See also FISHERY.

FISHING VESSELS, BOMBAY. *See* MERCHANT SHIPPING, 4.

FOOD AND DRINK.

Punishment of offences relating to . . . . . Act 45, 1860, ss. 272, 273.
Destruction of articles on conviction . . . . . Act 5, 1898, s. 521.
Prevention of adulteration (Bombay):
Bom. Act 2, 1899, commencement and application of . . Bom. Act 2, 1899, s. 1.
,, ,, to be read with City of Bombay Municipal Act, 1888, and Bombay District Municipal Act, 1901 . . . . . ,, s. 2.
,, ,, sale of article of food which is not of the nature, substance or quality demanded; punishment for; defence . . . ,, s. 3.
,, ,, purchase of article for analysis: penalty for refusing to sell for analysis . . . ,, s. 4.
,, ,, prosecution under Act, restrictions on . ,, s. 1(5)(d),(e).
Control over sale of, in municipalities:
See under MUNICIPALITY (*sub-heading* "The Public Health, Safety and Convenience").

FOREIGN ENLISTMENT ACT, 1870 (*See* COLONIAL COURTS OF ADMIRALTY, ETC.; FOREIGN ENLISTMENT; JUDICIAL COMMITTEE; PRIZE) . . . . . 33-4 V. c. 90.

FOREIGN ENLISTMENT.

Penalty on (without license of Her Majesty) engaging in or enlisting others in military or naval service of foreign State at war with friendly State; and on conveying persons so engaging or enlisted, etc. . 33-4 V. c. 90, ss. 4 to 7.
,, building, equipping, etc., vessels for service of foreign State at war with friendly State . . . ,, ss. 8 to 10.
,, fitting out expeditions against friendly State . . ,, s. 11.
Punishment of accessories; term of imprisonment . . . ,, s. 12, 13.
Seizure and restoration of illegal prize, by order of Court of Admiralty . . . . . ,, s. 14.
Procedure and venue in case of offences; seizure and forfeiture of offending ships, etc.; jurisdiction of Courts of Admiralty; appeal . . . . . ,, ss. 16 to 24, 27, 30.

FOREIGN ENLISTMENT—*contd.*

Power of Secretary of State or local authority to detain and search suspected ship . . . . . 33-4V.c.90,ss.23to26, 29.

Savings for commissioned foreign ships and military service in Asia . . . . . ,, s.33.

FOREIGN IMMIGRANTS REGULATION (BENGAL), 1812 [1]

(*See* FOREIGNER, 1) . . . . . Ben.Reg.11,1812.

FOREIGN JUDGMENT.

When no bar to suit in British India; presumption as to . . Act5,1908,ss.13,14.

FOREIGN JURISDICTION ACT, 1890 [*See* CRIMINAL LAW AND PROCEDURE (ENG.); EVIDENCE, I; FOREIGN JURISDICTION; FOREIGN LAW; LAW; MERCHANT SHIPPING; SEA] . 53-4V.c.37.

FOREIGN JURISDICTION.

1874. 37-8 V. c 27 (Colonial Courts).
1881. 44-5 V. c. 69, s. 23 (Fugitive Offenders).
1890. 53-4 V. c. 27, ss. 12, 18, Sch. 2 (Colonial Courts of Admiralty).
1890. 53-4 V. c. 37 (Consolidation).
1892. 55-6 V. c. 6, ss. 2, 3, 6 (Probate).

Right of Her Majesty to exercise jurisdiction acquired in country out of her dominions by treaty, etc., as if acquired by cession or conquest of territory . . . . . 53-4V.c.37,s.1.

Power, by Order in Council, to apply Colonial Courts of Admiralty Act, 1890, to Courts established under Foreign Jurisdiction Acts . . . . . 53-4V.c.27,ss.12,18,Sch.2.

Validity of acts done in pursuance of jurisdiction . . . 53-4V.c.37,s.3.

Obtaining evidence of existence of power from Secretary of State ,, s.4.

Jurisdiction to extend to British subjects resident in or resorting to places not subject to regular governments . . . . ,, s.2.

Power to send person charged with offence for trial to a British possession; provisions as to evidence for defence, etc. . . ,, s.6.

Place of punishment of persons convicted . . . . . ,, s.7

Power, by Order in Council, to assign to any Court in British Possessions out of United Kingdom any jurisdiction which might be conferred on any Court in any place out of British dominions where Her Majesty has power . . . . ,, s.9.

Punishment by Colonial Court for offence out of jurisdiction, tried under Imperial Act . . . . . 37-8V.c.27. 44-5V.c.69,s.23.

Validity of orders of Courts, etc., exercising jurisdiction in or in relation to any place out of British dominions for removal of persons from such place . . . . . 53-4V.c.37,s.8.

Provision as to subjects of Princes and States in India . . ,, s.15.

Power, by Order in Council, to extend certain enactments to places to which Act of 1890 applies . . . . . ,, s.5,Sch.1.

Power, by Order in Council, to revoke or vary certain enactments ,, s.17,Sch. 2.

Validity of Order in Council; laying before Parliament, etc. . ss.10to13.

Sealing in United Kingdom of probates and letters of administration granted by British Court out of Her Majesty's dominions 55-6V.c.6,ss.2,3,6.

Trial of offences at sea by Indian Courts. *See* SEA.

,, certain offences against Slave Trade Acts by Indian Courts. *See* SLAVE TRADE.

[1] This short title was given by Act 5, 1897, s. 4.

FOREIGN LAW ASCERTAINMENT ACT, 1861[1] (*See* FOREIGN LAW) 24-5V.c.11.

FOREIGN LAW.

Ascertainment of, and answering case sent by foreign Court . . 24-5 V.c.11.

Power, by Order in Council, to extend 24-5 V. c. 11 to place to which Foreign Jurisdiction Act, 1890, applies . . . 53-4V.c.37,s.5,Sch.1.

FOREIGN MARRIAGE ACT, 1892. (*See* ARMY; MARRIAGE, I; REGISTRATION OF BIRTHS, ETC). . . . . 55-6V.c.23.

FOREIGN MARRIAGE ACT (INDIAN), 1903. (*See* MARRIAGE, I) Act14,1903.

FOREIGN PROTESTANTS' NATURALIZATION ACT, 1708[1] (*See* BRITISH SUBJECT) . . . . . 7A.c.5.

FOREIGN RECRUITING ACT, 1874 . . . . . Act4,1874.

FOREIGN RECRUITING.

Act 4, 1874, extends to whole of British India . . . . Act4,1874,s.1.

" " declared in force in—

the Arakan Hill Districts . . . . Reg.9,1874,s.3.

Upper Burma generally (except the Shan States). Act13,1898,s.4,Sch.1.

British Baluchistan. . . . . Reg.1,1890,s.3.

Definition of "foreign State" . . . . . Act4,1874,s.2.

Power of Governor General in Council to prohibit or regulate recruiting for service in foreign State . . . . . " ss.3to5.

Penalty for . . . . . " s.6.

Place of trial for . . . . . " s.7.

FOREIGN RULER.

Procedure in suit by or against. *See* CIVIL PROCEDURE, 4.

FOREIGN SOVEREIGNS.

Judicial powers of agents of. *See* CIVIL COURTS, VI, B.

FOREIGN STATE defined. *See* WORDS AND PHRASES.

FOREIGN TRIBUNALS EVIDENCE ACT, 1856[1] (*See* EVIDENCE, I) . . . . . 19-20V.c.113.

FOREIGNER. *See also* ADMINISTRATOR GENERAL, 3; MARRIAGE, I.

1. Under the Bengal Foreign Immigrants Regulation, 1812.

Ben. Reg. 11, 1812; short title given to . . . . . Act5,1897,s.4.

" " " declared in force[2]—

throughout Agra and Bengal (except Sambalpur District) and Eastern Bengal, except as regards the Scheduled Districts . . . . . Act15,1874,ss.6,7.

in the Santhál Parganas . . . . Reg.3,1872,s.3,Sch.

in the Central Provinces and Sambalpur District . . . . . Act20,1875,s.3.

in Ajmere . . . . . Reg.3,1877,s.3.

in British Baluchistan . . . . . Reg.1,1890,s.3.

in Angul District . . . . . Reg.1,1894,s.3.

[1] This short title was given by 59 & 60 Vict. c. 14.

[2] Ben. Reg. 11, 1812, has also been declared in force in Assam (except the North Lushai Hills), by notification under the Scheduled Districts Act, 1874.

FOREIGNER—*contd.*

1. **Under the Bengal Foreign Immigrants Regulation, 1812**—*contd.*

Power of Local Government to order removal of foreigners or their descendants when attempting to excite disturbances in their own State or when their residence in vicinity of frontier of such State is likely to cause misunderstanding between such State and British Government . . . . . Ben.Reg.11,1812,s.2.
Power of Local Government to keep such persons under restraint „ s.4.
Right of persons so removed to dispose of their property . . „ s.3.
Punishment of foreigners or their descendants for causing disaffection in foreign State; punishment of abettors . . „ s.5(am.Act1. 1903).

2. **Under Act III of 1864.**

Act 3, 1864, declared in force—
throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.
in the Santhál Parganas . . . . . Reg.3,1872,s.3.
in the Arakan Hill District . . . . . Reg.9,1874,s.3.
in Upper Burma generally (except the Shan States) . . Act13,1898,s.4,Sch.1.
in British Baluchistan . . . . . Reg.1,1890,s.3.
in Angul District . . . . . Reg.1,1894,s.3.
Definition of "foreigner," etc. . . . . Act3,1864,s.1.
Onus of proof to lie on person asserting that he is not a foreigner. „ s.2.
General power for removal of foreigners:
Power of Government of India or Local Government to order foreigner to remove from British India; detention of person disobeying order or returning without license . . . „ ss.3,4,17.
Powers for dealing with foreigners on emergency:
Power of Governor General in Council to declare s. 5 and subsequent sections of Act to be in force in British India or specified part thereof, for specified period . . . „ s.5.
S. 5 and subsequent sections not to apply to foreign minister, consul, person under 14 or person in Her Majesty's service . „ s.5
Power to exempt persons from sections subsequent to s. 5 . „ s.25.
Foreigners, other than masters of ships, to report arrival; procedure in case of disobedience . . . . . „ ss.6to9, 14,15.
Restrictions on foreigners travelling in British India without license; procedure in case of disobedience to orders . . „ ss.10to 15,18,19.
Detention of foreigner returning after removal . . . „ s.4.
Boarding of ship to search for foreigner; master to furnish information; power to detain foreigner . . . . „ s.20.
Miscellaneous provisions:
Bail to be taken . . . . . „ s.16.
Penalties . . . . . „ ss.21to 23.
Recovery of fines . . . . . „ s.24.
See also ALIEN; VAGRANT.

FOREIGNERS ACT, 1864 (*See* FOREIGNER) . . . . Act3,1864.
FOREST ACT (INDIAN), 1878 . . . . . Act7,1878.
„ „ 1890 . . . . . Act5,1890.
„ „ (BURMA), 1902 . . . . . Bur.Act4,1902.

FOREST ACT (MADRAS), 1882 . . . . . Mad.Act5,1882.
" REGULATION (AJMERE), 1874 . . . . Reg.6,1874.
" " (ASSAM), 1891 . . . . Reg.7,1891.
" " (BRITISH BALUCHISTAN), 1890 . Reg.5,1890.
" " (HAZARA), 1893 . . . . Reg.6.1893.

FOREST.

1874. Reg. 6 (Forests, Ajmere).
1876. Act 2, ss. 40, 43 to 53 (Land and Revenue, Lower Burma).
" Reg. 3, ss. 10 to 12, 32 (Andamans).
1878. [1]Act 7 (Forests, Northern India, etc.).
1879. Bom. Act 5, ss. 38, 40, 44 (Land-revenue).
1880. Bom. Act 1, ss. 41, 42 (Khoti Settlements).
1882. Act 21 (Validation).
" Mad. Act 5 (Forests, Madras).
1883. Reg. 1, s. 18 (*10*) (Report of Offences, Assam).
1890. Reg. 5 (Forests, British Baluchistan).
1891. Reg. 7 (Forests, Assam).
1892. Reg. 1 (Private Forests, Ajmere).
1893. Reg. 6 (Forests, Hazara).
1898. Act 11, s. 38 (Landlord and Tenant, C. P.).
1900. Punj. Act 2, s. 20 (Land Preservation).
1902. Bur. Act 4 (Forests, Burma).

1. Reserved Forests.
2. Village Forests.
3. Protected Forests.
4. Private Forests.
5. Duty.
6. Produce.
7. Offences, Penalties and Procedure.
8. Miscellaneous.

Definitions of "forest." *See* WORDS AND PHRASES.

1. Reserved Forests.

Power to constitute; procedure . . . . . Act7,1878,ss.3,4,6to20 34. (As.)Reg.7,1891,ss.4to6, 8to19. (Bu.)Bur.Act4,1902,ss.4 to6,8to20. Mad.Act5,1882,ss.3,4,6 to16.

Private rights in; determination, saving and record of . . Act7,1878,ss.4,6to8,9A, 10to13,34. (As.)Reg.7,1891,ss.5,6,8 to12. (Bu.)Bur.Act4,1902,ss.8 to13. Mad.Act5,1882,ss.4,6to 11.

" " bar to accrual or acquisition of . . . Act7,1878,ss.5,22,25(*a*). (As.)Reg.7,1891,ss.7,21, (Bu.)Bur.Act4,1902,ss.7, 23. Mad.Act5,1882,ss.5,18.

" " " alienation of . . . . . Act7,1878,s.23. (As.)Reg.7,1891,ss.22,27. (Bu.)Bur.Act4,1902,s.24. Mad.Act5,1882,s.19.

" acquisition of, by Government . . . Act7,1878,s.10. (As.)Reg.7,1891,s.11. (Bu.)Bur.Act4,1902,s.13. Mad.Act5,1882,s.10.

[1] Act 7, 1878, applies to Bengal, the Bombay Presidency, the Central Provinces, Coorg (by notification under its first section), the United Provinces and the Punjab (except the District of Hazara). The Act has been declared in force in the Santhâl Parganas by Reg. 3, 1872, s. 3 (am. Reg. 3, 1886), and in Angul and the Khondmals by Reg. 1, 1894, s. 3.

FOREST—*contd.*

1. Reserved Forests—*contd.*

Private rights in; exercise of admitted rights to be ensured, or rights to be commuted	Act7,1878,ss.14,15. (As.)Reg.7,1891,ss.13,14. (Bu.)Bur.Act4,1902,ss. 12,13. Mad.Act5,1882,ss.12,13.
" " treatment of claims relating to practice of shifting cultivation	Act7,1878,s.9A. (As.)Reg.7,1891,s.10. (Bu.)Bur.Act4,1902,ss. 10,22.
" " rights of pasture or to forest-produce; orders as to	Act7,1878,ss.11to17. (As.)Reg.7,1891,ss.12to16. (Bu.)Bur.Act4,1902,ss. 11,12. Mad.Act5,1882,ss.11to15.
" " right of way or right to watercourse or to use of water; order as to	(As.)Reg.7,1891,s.12. (Bu.)Bur.Act4,1902,s.11. Mad.Act5,1882,s.11.
" " extinction of unclaimed rights	Act7,1878,s.9. (As.)Reg.7,1891,s.18. (Bu.)Bur.Act4,1902,s.19. Mad.Act5,1882,s.17.
" " appeal against order relating to	Act7,1878,ss.16,17. (As.)Reg.7,1891,ss.15,16. (Bu.)Bur.Act4,1902,ss. 14to16. Mad.Act5,1882,ss.10,14, 15.
" " " " " " to constitution and powers of Forest Court	Mad.Act5,1882,ss.37to40.
" " revision within five years of arrangements made with reference to	Act7,1878,s.21. (As.)Reg.7,1891,s.20. (Bu.)Bur.Act4,1902,s.21.
" " power to extinguish or suspend, as penalty for offence	(As.)Reg.7,1891,s.27. (Bu.)Bur.Act4,1902,s.56. Mad.Act5,1882,s.22.
Ways and watercourses in; power to stop	Act7,1878,s.24. (As.)Reg.7,1891,s.23. (Bu.)Bur.Act4,1902,s.25. Mad.Act5,1882,s.20.
Acts prohibited in; penalties	Act7,1878,s.25. (As.)Reg.7,1891,ss.24,25, 26. (Bu.)Bur.Act4,1902,ss. 26to28,54,55. Mad.Act5,1882,s.21.
Prevention of fire in	Act7,1878,ss.25(*b*),(*c*),78. (As.)Reg.7,1891,ss.25,26, 68(*e*),74. (Bu.)Bur.Act4,1902,ss. 27,28,33(2)(*a*),50(*a*),(*b*), 55,56. Mad.Act5,1882,ss.21,23.
Application of Act to forests reserved under former rules or orders	Mad.Act5,1882,s.25.

FOREST—*contd.*

1. Reserved Forests—*concld.*

Power to declare forest no longer reserved	Act7,1878,s.26. (As.)Reg.7,1891,s.28. (Bu.)Bur.Act4,1902,s.29. Mad.Act5,1882,s.24.
„ of Survey Officers to set apart Government lands for forest reserves	Bom.Act5,1879,s.38(rep. locally,Bom.Act6,1888).
„ to constitute, in Khot villages; reservation of private rights; application of Indian Forest Act, 1878; Khot entitled to share of profits	Bom.Act1,1880,ss.41,42.
Provisions of Central Provinces Tenancy Act, 1883, as to tenant-right, not applicable to land in reserved forest	(C.P.)Act11,1898,s.38.
State Forests in Ajmere:	
Power to take up waste or hilly land in village for purposes of a State forest	Reg.6,1874,s.3,Sch.A.
Proprietary right in land taken up to vest in Crown	„ s.4.
Right of villagers to cut grass and wood and to use ways; control over exercise of such rights; appeal	„ ss.4,5.
Nett profits of management to be paid to former owners; forfeiture of part of profits for misconduct	„ ss.6,7.
Fine not to be levied for cattle trespass unless land fenced or demarcated	„ s.8.
Power to make rules for management and protection of State forest; penalty for breach	„ s.9.
Relinquishment of land taken up for State forest	„ ss.10,11, Sch.B.
Recovery of fines	„ s.13.
Power to apply Reg. 6, 1874, to private forests	Reg.1,1892.
State Forests in British Baluchistan:	
Power to constitute; procedure	Reg.5,1890,s.3.
Demarcation of	„ s.4.
Bar of acquisition of private rights	„ s.5.
Power to close roads and pathways	„ s.6.
Acts prohibited in; penalties	„ ss.7to9.
Prevention of fire in	„ ss.8,9,35, 40.
Power to declare forest no longer a State forest	„ s.10.
Reserved Forests in the Hazara District of the Punjab:	
Management of, vested in Forest-officers	Reg.6,1893,s.3.
Forests Government property, subject to certain rights	„ s.4.
Restriction on alienation, or acquisition of private rights in	
Demarcation of	„ s.5.
Act prohibited in; penalties	„ ss.6to8.
Prevention of fire in	Reg.6,1893,ss.6to8,26.
Power to declare forest no longer reserved	„ s.9.

2. Village Forests.

Constitution, management, protection and improvement of; application of provisions as to reserved forests	Act7,1878,s.27. (As.)Reg.7,1891,ss.29,30.
Private rights in; enquiry into, and settlement of	(As.)Reg.7,1891,s.31.

FOREST—*contd.*

2. Village Forests—*contd.*

Waste-lands of villages in the Hazara District of the Punjab:

Village waste-lands property of land-owners of village, subject to certain rights, powers and claims; restriction on exercise of certain private rights; deodar trees in Kagan taluqa Government property	Reg.6,1893,s.10.
Power to protect lands; demarcation of protected lands; protection of trees; setting apart land for growth of trees; prevention of erosion, etc.	„ ss.11 to 15.
Appointment and duties of Village Forest-officer	„ s.16.
Control over firing of	„ s.17.
Preservation, reproduction and disposal of trees and timber growing on	„ s.47(*c*).
Offences in; report of offences; penalties	„ ss.19,20, 22.
Recovery of costs of management of	„ s.21.

3. Protected Forests.

Formation of	Act7,1878,ss.28,34.
Private rights not affected by formation of	„ ss.28,34.
„ „ power to suspend	„ ss.29,30.
„ „ power to regulate exercise of; penalty for breach	„ ss.31(*l*),32, 33.
Power to reserve trees in; penalty for felling, etc., such trees	„ ss.29,30, 32,33.
„ temporarily close portion of	„ ss.29,30.
„ prohibit certain acts in; penalty for breach	„ ss.29,30, 32,33.
„ make rules for management of; penalty for breach	„ ss.31,32, 33.
Prevention of fire in	„ ss.31(*h*), 32,78.

4. Private Forests.

Protection of, by Government, for certain special purposes, after hearing owner's objections	Act7,1878,s.35. Mad.Act5,1882,s.29.
Power to assume management of, with or without request of owner	Act7,1878,ss.36,38. Mad.Act5,1882,ss.30,32.
„ acquire	Act7,1878,s.37. Mad.Act5,1882,ss.30,31.
Preservation, reproduction and disposal of Government trees and timber grown in	Act7,1878,s.75(*c*). Mad.Act5,1882,s.63(*d*).
Power to apply the Ajmere Forest Regulation, VI of 1874, to private forests in Ajmere; nomination or election of Forest-officer; his powers; power to make rules for preservation of trees; penalty for breach of rules	(Aj.)Reg.1,1892.
Management of forests in which Government and private persons are jointly interested; power to apply provisions as to reserved forests, etc.	Act7,1878,s.79. Mad.Act5,1882,s.33.

FOREST—*contd.*

5. Duty.

Power to levy duty on timber or other forest-produce produced in or imported into province; determination of value for assessment of duty	Act7,1878,s.39.
" " on timber produced in or imported into Hazara District	(Haz.)Reg.6,1893,s.33.
" " on timber or other forest-produce imported; determination of value for assessment of duty	(As.)Reg.7,1891,s.37. (Bu.)Bur.Act4,1902,s.35.
Duty on teak timber cut in Attaran forest and floated down Attaran river	(L.B.)Bur.Act4,1902,s.36.
Power to exempt produce from duty	(As.)Reg.7,1891,s.38. (Bu.)Bur.Act4,1902,s.37.
Purchase-money or royalty not affected by duty	Act7,1878,s.40. (As.)Reg.7,1891,s.39. (Bu.)Bur.Act4,1902,s.38.

6. Produce.

Definitions of "tree," "timber" and "forest-produce"	Act7,1878,s.2 (am.Act5, 1890,s.2). (As.)Reg.7,1891,s.3. (Bu.)Bur.Act4,1902,s.3. Mad.Act5,1882,s.2. (Br.Bal.)Reg.5,1890,s.2.
Definitions of "timber" and "forest-produce"	(Haz.)Reg.6,1893,s.2.
Power to reserve trees; penalty for dealings with such trees	Act7,1878,ss.29(*a*),32(*a*). (As.)Reg.7,1891,ss.32,33, 36. (Br.Bal.)Reg.5,1890,ss. 11,12.
Teak trees on unsettled Government land deemed Government property and reserved, unless notification issued; power to reserve other trees on Government land; penalty for dealings with such trees	(Bu.)BurAct4,1902,ss.30, 31,58.
Right of private individuals and Government, respectively, to trees and other forest-produce on land which has been surveyed and settled	Bom.Act5,1879,ss.40,44, 41.
Penalty for damaging tree, or collecting, manufacturing or removing forest-produce, in reserved forest	Act7,1878,s.25(*f*),(*g*). (As.)Reg.7,1891,s.25(*d*), (*e*). (Bu.)Bur.Act4,1902,ss.54 (*b*),55. Mad.Act5,1882,s. 21. (Haz.)Reg.6,1893,ss.6to8. (Br.Bal.)Reg.5,1890,ss.7 to9.
Power to prohibit or regulate the cutting of trees or timber, or the collection, manufacture or removal of forest-produce, or the use of land in protected forest; penalty	Act7,1878,ss.29,31,32
Cultivation in reserved forest; penalty	" s.25(*a*),(*h*). (As.)Reg.7,1891,ss.25,26. (Bu.)Bur.Act4,1902,s.55 (*a*),(*f*). (Br.Bal.)Reg.5,1890,ss.8, 9. Mad.Act5,1882,s.21. (Haz.)Reg.6,1893,ss.6to8.

FOREST—*contd.*

Produce—*contd.*

Cultivation in protected forest; penalty	Act7,1878,ss.29,31(*g*),32.
Regulation of cultivation and dealing with timber and other forest-produce in unsettled Government forest lands; penalty	(As.)Reg.7,1891,ss.34to 36. (Bu.)Bur.Act4,1902,ss.33, 34. Mad.Act5,1882,s.26.
Licenses for felling trees or collecting forest-produce	(And.)Reg.3,1876,ss.10 to 12,32.
" preparing or collecting forest-produce; recovery of license-fees	(L.B.)Act2,1876,ss.40, 43to53.
Levy of royalty on manufactured catechu and other forest-produce	(Bu.)Bur.Act4,1902,s.32.
Preservation, reproduction and disposal of—	
Government trees and timber grown on private land	Act7,1878,s.75(*c*). Mad.Act5,1882,s.63(*d*).
trees and timber growing on village waste-lands	(Haz.)Reg.6,1893,s.47(*c*).
Power to make rules to prevent charcoal-burning and destruction of trees near State forest, or in other places	(Aj.)Reg.6,1874,s.12.
Protection of groves of trees near villages, etc.	(Haz.)Reg.6,1893,s.23.
Cultivation in dangerous positions on hill-sides; penalty	" s.24.
Seigniorage fees	" s.25.
Provision of, for village community	Act7,1878,s.27. (As.)Reg.7,1891,s.30.
Pasturing cattle, or permitting cattle to trespass, in reserved forest; penalty	Act7,1878,s.25. (As.)Reg.7,1891,ss.24,26. (Bu.)Bur.Act4,1902,s.54 (*a*),(*b*). (Br.Bal.)Reg.5,1890,ss.7, 9. Mad.Act5,1882,s.21.
Grazing or driving cattle in reserved forest; penalties	(Haz.)Reg.6,1893,ss.6to8.
Regulation of pasturing in protected forest; penalty	Act7,1878,ss.31(*i*),32.
Regulation or prohibition of pasturing; penalty—	
in private forest	" ss.35, 36. Mad.Act5,1882,ss.29,30.
in unsettled Government forest land	(As.)Reg.7,1891,ss.34to 36. (Bu.)Bur.Act4,1902,ss. 33,34. Mad.Act5,1882,s.26.
Seizing and impounding of cattle trespassing in reserved forest, etc.; application of Cattle-trespass Act, 1871, with power to alter rates of fine	Act7,1878,ss.69,70. (As.)Reg.7,1891,ss.66,67. (Bu.)Bur.Act4,1902,ss.49, 57. (Br.Bal.)Reg.5,1890,ss. 18,19. Mad.Act5,1882,ss.57,58. (Haz.)Reg.6,1893,s.34.
Power to close unsettled Government land against pasture; penalty for cattle pasturing or trespassing in land after such closing	Mad.Act5,1882,ss.27,28.
Power to close lands burnt against grazing	(Haz.)Reg.6,1893,s.28.

FOREST—*contd.*

6. Produce—*contd.*

Hunting, shooting or fishing; penalty—

in reserved forest . . . . . Act7,1878,s.25(*i*). (As.)Reg.7,1891,ss.24,26. (Bu.)Bur.Act4,1902,s.54(*d*). (Br.Bal.)Reg.5,1890,ss.7,9. Mad.Act5,1882,s.21. (Haz.)Reg.6,1893,ss.6to8.

in protected forest . . . . . Act7,1878,ss.31(*j*),32(*h*).

in unsettled Government forest land . . . . . (As.)Reg.7,1891,ss.34to36. (Bu.)Bur.Act4,1902,ss.33,34. Mad.Act5,1882,s.26.

See also ELEPHANT.

Transit of: control of Local Government over; power to make rules for transit and for regulation of depôts or stations and prevention of obstructions in rivers; penalties for breach of rules . . . . . Act7,1878,ss.41(am.Act5,1890,s.8),42. (As.)Reg.7,1891,ss.40,41. (Bu.)Bur.Act4,1902,s.39. Mad.Act5,1882,ss.35,36.

" " stations for controlling; routes for transit; passes; penalties; exemptions . . . . . (Br.Bal.)Reg.5,1890,ss.13to17.

" " power to make rules to regulate . . . . . (Haz.)Reg.6,1893,s.30.

" " employés at transit depôt or station bound to aid in case of accident thereat . . . . . Act7,1878,s.44. (As.)Reg.7,1891,s.42. (Bu.)Bur.Act4,1902,s.51.

Timber drift, stranded, sunk, unmarked or bearing unregistered mark:

Collection of . . . . . Act7,1878,ss.45,51. (As.)Reg.7,1891,ss.43,48,68. (Bu.)Bur.Act4,1902,s.40. (Haz.)Reg.6,1893,ss.30,32.

Deemed Government property until title proved . . . . Act7,1878,s.45. (As.)Reg.7,1891,s.43. (Bu.)Bur.Act4,1902,s.40(*3*). (Haz.)Reg.6,1893,s.32.

Claims to; disposal of . . . . . Act7,1878,ss.46,47(am.Act5,1890,s.9). (As.)Reg.7,1891,ss.44,45,68. (Bu.)Bur.Act4,1902,ss.41,42. (Haz.)Reg.6,1893,s.32.

Expenses of collecting, etc., to be paid by claimant . . Act7,1878,s.50. (As.)Reg.7,1891,s.47. (Bu.)Bur.Act4,1902,s.44.

Unclaimed; disposal of . . . . . Act7,1878,s.48(am.Act5,1890,s.10). (As.)Reg.7,1891,s.46. (Bu.)Bur.Act4,1902,s.43.

FOREST—*contd.*

6. Produce—*contd.*

Timber drift, stranded, sunk, unmarked or bearing unregistered mark—*contd.*

Power to make rules as to collecting, etc.; penalty for breach . Act7,1878,s.51. (As.)Reg.7,1891,s.48. (Bu.)Bur.Act4,1902,ss. 45,78.

Waif and unowned timber or other forest-produce; collection and disposal of . . . . . (Haz.)Reg.6,1893,s.30.

Duty on. *See above*, 5.

Loss, damage and sale of. *See below*, 8.

Private rights in. *See above*, 1, 2, 3.

Seizure of. *See below*, 7.

7. Offences, Penalties and Procedure.

General penalty for breach of rules . . . . . Act7,1878,s.76. (Bu.)Bur. Act4,1902,s.59.

Penalty for counterfeiting or defacing mark on timber or altering boundary-mark . . . . . Act7,1878,s.62. (As.)Reg.7,1891,s.59. (Bu.)Bur.Act4,1902,s.61. (Br.Bal.)Reg.5,1890,s.29. Mad.Act5,1882,s.50. (Haz.)Reg.6,1893,s.31.

Confiscation of share of forest-produce on failure to perform service for rendering which the share is held . . . . Act7,1878,s.80. Bom.Act1,1880,s.42.

Forfeiture of lease, license or contract after commission of offence . . . . . (As.)Reg.7,1891,s.65.

Power to close lands illicitly cultivated . . . . . (Haz.)Reg.6,1893,s.29.

Joint and several liability of villagers, etc., for burning of forest; power to close lands burnt against grazing and wood-cutting till restored . . . . . ,, ss.27,28.

Seizure of forest-produce in respect of which offence committed, and other property; procedure thereupon; confiscation; disposal of property; appeal; punishment for wrongful seizure . Act7,1878,ss.52to56,57 to61. (As.)Reg.7,1891,ss.49to 58. (Bu.)Bur.Act4,1902,ss.48, 60,64to70. (Br.Bal.)Reg.5,1890,ss. 20to28,31. Mad.Act5,1882,ss.41to49, 52. (Haz.)Reg.6,1893,ss.36, 45.

Punishment for wrongful arrest . . Mad.Act5,1882,s.52. (Br.Bal.)Reg.5,1890,s.31.

Penalties. *See also above*, 1, 2, 3, 6, *and below*, 8.

Arrest without warrant . . Act7,1878,s.63. (As.)Reg.7,1891,s.60. (Bu.)Bur.Act4,1902,s.47. (Br.Bal.)Reg.5,1890,s.30. Mad.Act5,1882,s.51. (Haz.)Reg.6,1893,s.35.

FOREST—*contd.*

7. Offences; Penalties and Procedure—*contd.*

Forest-officers and Police-officers to prevent offences	Act7,1878,s.64. (As.)Reg.7,1891,s.61. (Bu.)Bur.Act4,1902,s.46. (Br.Bal.)Reg.5,1890,s.32. Mad.Act5,1882,s.53.
Report of offences to be made by rural policemen	(As.)Reg.1,1883,s.18(*10*).
Compounding of offences; release of seized property on payment of value	Act 7,1878,s.67. (As.)Reg.7,1891,s.62. (Bu.)Bur.Act4,1902,s.62. (Br.Bal.)Reg.5,1890,s.33. Mad.Act5,1882,s.55. (Haz.)Reg.6,1893,s.37.
Compensation payable to Government for damage caused by offence; appeal	(As.)Reg.7,1891,s.64. (Bu.)Bur.Act4,1902,s.63.
Summary trial of offences	Act7,1878,s.65. (Haz.)Reg.6,1893,s.40.
Forest-officers; power of, to try suits, call evidence, issue search-warrants, hold enquiries and record evidence; admissibility of such evidence in trial before Magistrate	Act7,1878,ss.7,8,71. (As.)Reg.7,1891,ss.8,9,68. (Bu.)Bur.Act4,1902,ss.8; 9,53,74(*d*). (Br.Bal.)Reg.5,1890, s.35. Mad.Act5,1882,ss.8,9,59. (Haz.)Reg.6,1893,s.42.
Forest Court; constitution and powers of	Mad.Act5,1882,ss.37to40.
Application of Code of Criminal Procedure	(Haz.)Reg.6,1893,s.40.
Bar of jurisdiction of Civil Courts in certain cases; procedure of Revenue-officers; appeals	,, ,, s.39.
Act done in good faith; bar to suit for	Act7,1878,s.73. (Haz.)Reg.6,1893,s.44.
,, ,, ,, ,, ,, suit or prosecution for	(As.)Reg.7,1891,s.70. (Bu.)Bur.Act4,1902,s.79. (Br.Bal.)Reg.5,1890,s.37. Mad.Act5,1882,s.61.
Prosecutions under other laws not barred, but no second punishment allowed	Act7,1878,s.66. Mad.Act5,1882,s.54.
Sanction required to prosecutions in certain cases. *See* CHIN HILLS, **5**; KACHIN HILLS, **5**.	

8. Miscellaneous.

Forest-officers deemed "public servants," and not to trade	Act7,1878,ss.72,74. (As.)Reg.7,1891,ss.69,71. (Bu.)Bur.Act4,1902,ss. 75,76, (Br.Bal.)Reg.5,1890,ss. 36,38. Mad.Act5,1882,ss.60,62. (Haz.)Reg.6,1893,ss.43, 46.
power of, to enter, survey, demarcate and make map	Act7,1878,ss.8,71. (As.)Reg.7,1891,ss.9,68. (Bu.)Bur.Act4,1902,s.9. Mad.Act5,1882,ss.9,59. (Haz.)Reg.6,1893,s.42.

FOREST—*contd.*

B. Miscellaneous—*contd.*

Forest officers; power to invest them with certain powers	Act 7, 1878, s. 71. (As.) Reg. 7, 1891, s. 68 (Bu.) Bur. Act 4, 1902, s. 74. (Br. Bal.) Reg. 5, 1890, s. 35. Mad. Act 5, 1882, s. 59. (Haz.) Reg. 6, 1893, ss. 41, 42.
Certain persons bound to report offences to, and to assist, Forest-officer or Police-officer	Act 7, 1878, s. 78. (As.) Reg. 7, 1891, s. 74. (Bu.) Bur. Act 4, 1902, ss. 50, 51. (Br. Bal.) Reg. 5, 1890, s. 40. Mad. Act 5, 1882, s. 23.
Certain persons bound to report offences to Revenue-officer, Forest-officer, Village Forest-officer or Police-officer, and to extinguish fire, prevent offences and arrest offenders	(Haz.) Reg. 6, 1893, s. 26.
Rewards to officers and informers	Act 7, 1878, s. 75(5). (As.) Reg. 7, 1891, s. 72(c). (Br. Bal.) Reg. 5, 1890, s. 39 (b). Mad. Act 5, 1882, s. 63(c). (Haz.) Reg. 6, 1893, s. 47(b).
Presumption that forest-produce is Government property	Act 7, 1878, s. 63. (As.) Reg. 7, 1891, s. 63. (Bu.) Bur. Act 4, 1902, s. 52. (Br. Bal.) Reg. 5, 1890, s. 34. Mad. Act 5, 1882, s. 66.
Recovery of money due to Government; lien on and sale of forest-produce	Act 7, 1878, ss. 81, 82. (As.) Reg. 7, 1891, ss. 75, 76. (Bu.) Bur. Act 4, 1902, ss. 71, 72. (Br. Bal.) Reg. 5, 1890, ss. 41, 42. Mad. Act 5, 1882, ss. 66, 67. (Haz.) Reg. 6, 1893, s. 38. (And.) Reg. 3, 1876, s. 11.
" of penalties due under bond; Contract Act, 1872, s. 74, barred	Act 7, 1878, s. 84. (As.) Reg. 7, 1891, s. 79. (Bu.) Bur. Act 4, 1902, s. 73. (Br. Bal.) Reg. 5, 1890, s. 44.
Government not liable for loss of or damage to timber or other forest-produce; Forest-officer not liable except for negligence, etc.	Act 7, 1878, ss. 48, 49. (As.) Reg. 7, 1891, s. 77. (Bu.) Bur. Act 4, 1902, s. 80. (Br. Bal.) Reg. 5, 1890, s. 43. (Haz.) Reg. 6, 1893, s. 32(3).
Rules; general power to make	Act 7, 1878, s. 76. (As.) Reg. 7, 1891, s. 72. (Bu.) Bur. Act 4, 1902, s. 77. (Br. Bal.) Reg. 5, 1890, s. 39. Mad. Act 5, 1882, s. 63. (Haz.) Reg. 6, 1893, s. 47.
certain; sanction of Governor General in Council required to	Act 7, 1878, s. 77.

FOREST—*concld.*

8. Miscellaneous—*concld.*

Rules; publication of . . . . . Act7,1878,s.77. (As.)Reg.7,1891,s.73. (Bu).Bur.Act4,1902,s.78. Mad.Act5,1882,s.64.

Local Government may delegate certain of its powers . . „ s.65.

„ „ ; powers of, exercisable from time to time . Mad.Act5,1882,s.64.

Acquisition of land . . . . . Act7,1878,ss.10,37,83. (As.)Reg.7,1891,ss.11,78. (Bu.)Bur.Act4,1902,ss.13, 81. Mad.Act5,1882,ss.10,30, 31,68.

Madras Forest Act, 1882, validated . . . . . (M.)Act21,1882.

Rights of profit not affected by Burma Land and Revenue Act, 1876 . . . . . (Bu.)Bur.Act4,1902,s 82.

Certain sections of Act 7, 1878, to be read as part of P. Act 2, 1900; certain offences under P. Act 2, 1900, to be deemed "forest offences" . . . . . P.Act2,1900,s.20.

See also LAND PRESERVATION.

FORFEITED DEPOSITS ACT, 1850.[1] (*See* LANDLORD AND TENANT III, B, IV, B.) . . . . . Act25,1850.

FORFEITURE ACT { 1857. 1859. } *See* FORFEITURE . . . Act25,1857. Act9,1859.

FORFEITURE.

Act 25, 1857, declared in force throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.

Act 9,1859,ss. 16 to 18 and 20, declared in force—
throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.
in Upper Burma generally, except the Shan States (except the last para. of s. 18) . . . . . Act13,1898,s.4,Sch.1.

To extend to—
all property possessed by offender at date of offence, or later; exception in favour of certain transferees in good faith . Act25,1857,s.3.
immoveable property alienated before commission of offence; exceptions . . . . . „ s.4.

Power, in case of offence for which forfeiture of property prescribed, to adjudge forfeiture after death of or in absence of offender . . . . . „ s.1.

Power of Court adjudging, to specify day on which offence was committed . . . . . „ s.5.

What proved by conviction or adjudication of . . . . „ s.6.

Forfeited property; recovery of . . . . . „ s.7.

„ „ restoration of, or surrender, etc. . . „ s.8.

Power to attach property pending adjudication . . . „ s.10.

Bar to raising of questions as to validity of . . . . Act9,1859,ss.16to18,20.

None in case of suicide . . . . . (Bo.,Cal.)Act4,1871,s.30.

See also CRIMINAL LAW (INDIAN), 2; MURDEROUS OUTRAGES; RAILWAY, 9 (*a*); STATE OFFENCES.

FORT WILLIAM ACT, 1881 (*See* ANIMAL B; FORT WILLIAM) . . Act13,1881.

[1] This short title was given by Act 5, 1897, s. 4.

FORT WILLIAM.

Power to define limits of . . . . . Act13,1881,s.2.
Power of Commander-in-Chief to make rules for government of, and to prescribe penalties for breach of rules . . . ,, s.3,Sch.
Power of Governor General in Council to invest Fort Magistrate with power to try breaches of such rules . . . . . ,, s.4.
Procedure of Fort Magistrate ; finality of his orders . . ,, s.5.
Power to arrest without warrant ; disposal of arrested persons . ,, s.6.
Act not to confer jurisdiction over persons subject to military law, other than artificers, labourers, sutlers and followers . ,, s.1.
Act not to affect jurisdiction of Presidency Magistrates . . Prosecutions under other laws not barred, but only one punishment allowed . . . . . ,, s.7.
Limitation of prosecutions . . . . . ,, s.8.

FRAUDULENT BREACH OF CONTRACT.

By artificers, workmen or labourers ; punishment for . . . . Act13,1859,ss.1to4.

FRAUDULENT CONVEYANCE.

Voidable . . . . . Act4,1882,s.53.
Avoidance of, under Insolvency Act . . . . . Act3,1907,ss.36to38. Act3,1909,ss.44,55to57.
Punishment for fraudulent deeds or dispositions of property . Act45,1860,ss.421to424.

FRONTIER REGULATION (SINDH), 1872[1] . . . . . Reg.5,1872.
,, ,, ,, 1892 . . . . . Reg.3,1892.
,, CRIMES REGULATION, 1901. (*See* CANTONMENT ; CRIMINAL LAW (IND.) ; CRIMINAL PROCEDURE (IND.) ; FRONTIER ; MUNICIPALITY, XVI ; PUNJAB ; NORTH-WEST FRONTIER PROVINCE ; WHIPPING) . Reg.3,1901.
,, CROSSING REGULATION (PUNJAB), 1873[2] . Reg.7,1873.
,, CROSSING AND DISTURBED DISTRICTS REGULATION (UPPER BURMA), 1887[3] . Reg.9,1887.
,, CROSSING AND DISTURBED DISTRICTS REGULATION (UPPER BURMA AND ARAKAN HILLS), 1907 . . . . . Reg.1,1907.
,, GRAZING REGULATION, 1874 (*See* FRONTIER) . Reg.1,1874.
,, JAGIR REVENUE COLLECTION REGULATION (PUNJAB), 1874 . . . . . Reg.7,1874.
,, MURDEROUS OUTRAGES REGULATION, 1901. (*See* MURDEROUS OUTRAGES) . . . . Reg.4,1901.
,, POLICE REGULATION (CHITTAGONG HILL TRACTS), 1881 . . . . . Reg.3,1881.
,, POLICE-OFFICERS REGULATION (PUNJAB), 1893 . . . . . Reg.7,1893.
,, TRACTS REGULATION (ASSAM), 1880 . . Reg.2,1880.
,, ,, ,, ,, 1884 [1] . . Reg.3,1884.
,, TRIBES REGULATION (BURMA), 1896 . . Reg.2,1896.

FRONTIER.

1872. Reg. 5 (Sindh Frontier).
1873. Reg. 5 (Inner Line ; Darjeeling District, part of E. B. & Assam).
,, Reg. 7 (Crossing, Punjab Frontier).
1874. Reg. 1 (Grazing, Punjab Frontier).
,, Reg. 7 (Collection of land-revenue, Punjab Frontier).
1878. Act 11, s.11 (Arms).

[1] This short title was given by Act 5, 1897, s. 4.
[2] This short title was given by Notification No. 13, dated 11th October, 1875, in Gazette of India, 1875, Pt. I, p. 529.
[3] Rep. in Upper Burma by Reg. 1, 1907 ; declared in force in British Baluchistan ; Reg. 1,1890, ss. 3, 4.

FRONTIER—*contd.*

1880. Reg. 2 (Assam Frontier).
1881. Reg. 3 (Police, Chittagong Hills).
1882. Reg. 1 (Garo Hills).
1884. Reg. 3 (Assam Frontier, etc.).
1887. Reg. 9 (Frontier and Disturbed Districts, British Baluchistan.
1890. Reg. 1, ss. 3, 4 (Laws, British Baluchistan).
1892. Reg. 3 (Sindh Frontier).
1893. Reg. 7 (Police, Punjab Frontier).
1896. Reg. 2 (Blockade, Burma).
1897. Act 5, s. 2 (Repeal).
1901. Reg.3 (Frontier Crimes).
,, Reg. 6 (Hazara).
,, Reg. 7 (Laws, North-West Frontier).
1907. Reg. 1 (Crossing Burma Frontier).
1909. E. B. & A. Act 1, s. 18 (General Clauses).

GENERALLY . . . . . .

A.—ASSAM. . . . . .
1. **Laws and Boundaries.**
2. **Inner Line.**
3. **Special Provisions for Garo Hills.**

B.—BRITISH BALUCHISTAN . . .
1. **Crimes.**
2. **Crossing.**

C.—BURMA . . . . . .
1. **Blockade (Burma).**
2. **Crossing (Arakan Hill) District and Upper Burma).**

D.—DARJEELING DISTRICT AND PARTS OF EASTERN BENGAL AND ASSAM.
1. **Inner Line.**
2. **Police.**

E.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB.
1. **Collection of Land-revenue.**
2. **Crimes.**
3. **Police.**
4. **Crossing.**
5. **Grazing.**
6. **Special Provisions for Hazara District.**

F.—SINDH . . . . . **Crimes.**

GENERALLY.

Establishment of searching stations under Arms Act . . Act11,1878,s.11.

A.—ASSAM.

1. Laws and Boundaries.

Reg. 2, 1880, extends to notified frontier tracts in Assam . . Reg.2,1880,s.1.
Power to direct that any enactment shall cease to be in force in frontier tract, but not so as to affect criminal jurisdiction over European British subjects . . . . . ,, s.2.
Power to settle boundary of frontier tract . . . . ,, s.3.
Power to extend Reg. 2, 1880, to Garo Hills and Khasi and Jaintia Districts and to portion of Nowgong District . . . (As.) Reg.3,1884,s.1.
E. B. & A. Acts not to extend to Garo Hills, Khasi and Jaintia Hills, Lushai Hills, Naga Hills, North Cachar Sub-division of Cachar District, Eastern Duars in Goalpara District, Mikir Hill Tracts in Nowgong and Sibsagar Districts and Dibrugarh Frontier Tract in Lakhimpur District, in the absence of extension or special provision . . . . . E.B.&A.Act1,1910,s.18.

FRONTIER—*contd.*

A.—ASSAM—*contd.*

2. Inner Line.

Reg. 5, 1873, extends to districts of Cachar, Darrang, Kamrup, Khasi and Jaintia Hills, Lakhimpur, Naga Hills, Nowgong and Sibsagar . . . . . Reg.5,1873,preamble,s.1.
„ „ repealed as to Garo Hills . . . . . Act5,1897,s.2,SchI.
Provisions as to the "Inner Line" (*for details see below*, D, 1) . Reg.5,1873,ss.2to7,11.

3. Special Provisions for Garo Hills.

Power of Local Government to prohibit cutting of wood, hunting and collection of jungle-products by persons not natives of district, except under license . . . . . Reg.1,1882,s.2.
Penalty for acts in contravention of such prohibition or for breach of such license . . . . . „ s.3.
Persons other than natives of district not to acquire interest in land or products of land without official sanction: power to extend prohibition to natives of district . . . . . „ s.4.
Recovery of fines imposed under Regulation . . . . . „ s.5.
Exercise of jurisdiction in respect of offences under Regulation . „ s.6.

B.—BRITISH BALUCHISTAN.

1. Crimes.

[*See* Footnote to E, 2. *See also* MURDEROUS OUTRAGES.]

2. Crossing.

Reg. 9, 1887, declared in force in British Baluchistan (with modifications) . . . . . Reg.1,1890,ss.3,4(*5*).
Persons duly warned not to cross frontier; penalties . . Reg.9,1887,ss.2to4.
Power to require security from persons suspected of intended disobedience to warning . . . . . „ s.5.

C.—BURMA.

1. Blockade (Burma).

Power to blockade frontier tribe, etc., showing hostility to British Government, or raiding on tribe, etc., under the protection of British Government . . . . . Reg.2,1896.

2. Crossing (Arakan Hill District and Upper Burma).

Persons duly warned not to cross frontier or notified boundary of any notified district into foreign territory or Shan State or Karenni State or territory outside notified boundary or from one territory to another or reside or travel in notified territory; penalties . . . . . Reg.1,1907,ss.2to4.
Power to require security from persons suspected of intended disobedience to warning . . . . . „ s.5.
Reg. 1, 1907, extends to Hill District of Arakan . . . . . „ s.1(*2*).

FRONTIER—*contd.*

D.—DARJEELING DISTRICT AND PARTS OF EASTERN BENGAL AND ASSAM.

1. Inner Line.

Power to prescribe and alter a line to be called "the Inner Line"	Reg.5,1873,s.2.
„ prohibit British subjects, residents or travellers from going beyond such line without a pass	
„ prescribe form of pass and impose fees therefor	„ s.4.
Penalty for going beyond such line without pass; arrest	„ ss.3,6.
„ breach of conditions of pass; arrest	„ ss.4,6.
Confiscation of jungle products found in possession of person convicted of offence under Regulation	„ s.5.
Persons other than natives of district not to acquire interest in land or product of land beyond the Inner Line without sanction of Government; power to extend prohibition to natives of district	„ s.7.
Jurisdiction as to offences under Regulation	„ s.11.

E.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB.

1. Collection of Land-revenue.

Power to permit assignee to collect land-revenue in kind; bar to jurisdiction of Courts	Reg.7,1874.
Power to order forfeiture of assignment or remission of land-revenue as penalty for crime	[1]Reg.3,1901,ss.25to28. Reg.7,1901,s.3,Sch.1.

2. Crimes.

Modification of Reg. 3, 1901, in its application to North-West Frontier	Reg.7,1901,s.3,Sch.1.
Districts and classes of persons subject to Reg. 3, 1901	[1]Reg.3,1901,s.1.
Definition of "Council of Elders" and "Commissioner"	„ s.2.
Extraordinary powers of Courts and Officers	„ ss.4to7.
Council of Elders:	
Reference to, of civil disputes likely to cause blood-feud, etc.; restriction on jurisdiction of Civil Courts	„ ss.8to10, 17,18.
Reference to, of criminal cases for enquiry; procedure; sentences to be passed by Deputy Commissioner; execution of sentences; revision by Commissioner	„ ss.11to19.
Power of Deputy Commissioner to compel attendance of parties or witness before himself or "Council"	„ s.20.
Punishment for certain offences by—	
tribe or village community	„ ss.22to25, 27,28.
individual	„ ss.26to30.
Power to blockade hostile frontier tribe; arrest, seizure and confiscation of person and property	„ s.21.
Powers for preventing erection of new villages, towers, etc., and for removal of villages or persons	„ ss.31to37.
Powers of arrest	„ ss.38,39.
Security for good behaviour	„ ss.40to47.
Appeal and revision	„ ss.48to55.

[1] Reg. 3,1901, has been extended, with modifications, to British Baluchistan by notification under Act 14,1874.

FRONTIER—*contd.*

E.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB—*contd.*

2. Crimes—*contd.*

Recovery of fine or money payable under decree from relative, etc., of person liable	[1] Reg.3,1901,s.56.
Disposal of fines	,, s.57.
Maintenance of registers	,, s.58.
Application of—	
Act 45, 1860 (Penal Code), ss. 61, 63 to 74	,, s.61.
Act 5, 1898 (Criminal Procedure), Ch. VIII and Ch. XLII	,, s.47.
Relation of Reg. 3, 1901, to other enactments	,, s.3.
General bar to jurisdiction of Civil and Criminal Courts	,, ss.59,60.
Power to make rules under Regulation	,, s.62.
Bar of suit for thing done or purported to be done in good faith under Reg.	,, s.63.

See also MURDEROUS OUTRAGES.

3. Police.

Act 5, 1861, s. 20 (limitation of authority of Police-officers), not to apply to Assistant District Superintendent whose duties are exercised exclusively in connection with unenrolled border police-force	Reg.7,1893,s.2.
Power to confer magisterial powers on such Police-officers	,, s.3
Validation of authority exercised in the past by such Police-officers	,, ss.4,6.

See also POLICE.

4. Crossing.

Persons duly warned not to cross frontier; penalties	Reg.7,1873,ss.1to5.
Power to require security from persons suspected of intended disobedience to warning	,, s.6.
Modification of Reg. 7, 1873, in its application to N.-W. F.	Reg.7,1901,s.3,Sch.1.

5. Grazing.

Prohibition against grazing animals unaccompanied by guard; seizure of animals; fines and penalties; sale of unclaimed animals	Reg.1,1874,ss.3to8.
Power to exempt tracts from operation of parts of Regulation	,, s.9.

6. Special Provisions for Hazara District.

Entries in record-of-rights of first Hazara Settlement not to have greater or other force than under Act 17, 1887, s. 44	Reg.6,1901,s.3.
Regs. 1, 1872, and 2, 1874, repealed	Reg.6,1901,s.2.

7. Inner Line (Spiti and Lahaul).

Reg. 5, 1873, extended to Spiti and Lahaul by notification under Act 14, 1874.

[1] Reg. 3,1901, has been extended, with modifications, to British Baluchistan by notification under Act 14,1874.

FRONTIER—*concld.*

F.—SINDH.

Crimes.

Definition of "Council of Elders" . . . . . Reg.3,1892,s.4.
Council of Elders:
Reference to, of civil disputes likely to cause blood-feud, etc.; restriction on jurisdiction of Civil Courts . . . . „ ss.5to 7,18.
Reference to, of criminal cases, for enquiry; procedure; sentences to be passed by District Magistrate; execution of sentences; revision by Commissioner . . . . „ ss.8to 18.
Punishments for certain offences by—
tribe or village community . . . . . Reg.5,1872,ss.1,3.
individual . . . . . „ s.7.
Powers for preventing erection of new villages, towers, etc., and for removal of villages or persons . . . . . „ ss.2,4,5.
Tender of pardon . . . . . „ s.8.
Penalties . . . . . „ s.9.
Powers of arrest . . . . . Reg.3,1892,s.19.
Security for good behaviour . . . . . „ ss.20to 27.
Register of cases . . . . . Reg.5,1872,s.10.
Repeal of Indian Penal and Criminal Procedure Codes, so far as they are inconsistent with Reg. 5, 1872 . . . . „ s.11.
Application of provisions of Indian Penal Code respecting fines and imprisonment . . . . . Reg.3,1892,s.28.

FUGITIVE OFFENDERS ACT, 1881. (*See* COLONIAL PRISONER; EVIDENCE, I; FOREIGN JURISDICTION; FUGITIVE OFFENDER; MERCHANT SHIPPING) . . . . . 44-5V.c.69.

FUGITIVE OFFENDER.

(*a*) RETURN OF FUGITIVES.

Apprehension and return or discharge of person accused of offence in one part of Her Majesty's dominions, and found in another part . . . . . 44-5V.c.69,ss.2to10.
Right to *habeas corpus* . . . . . „ s.5.
Offences to which Act applies . . . . . „ s.9.
Jurisdiction of Magistrates as to hearing and committal . . „ s.30.

(*b*) INTER-COLONIAL BACKING OF WARRANTS, ETC.

Application of provisions to groups of British Possessions, by Order in Council . . . . . „ s.12.
Backing in one possession of warrant for apprehension of person accused of offence in another; provisional warrant; return or discharge of person apprehended . . . . . „ ss.13,14,16 to19.
Endorsement in one possession of summons, etc., to witness on charge of offence punishable in another . . . . „ s.15.

(*c*) TRIAL, ETC., OF OFFENCES.

Trial, etc., of offences committed on or near boundary of adjoining British Possessions . . . . . „ s.20.
Trial of offences on journey or inland voyage through or on boundary of British Possession . . . . . „ s.21.

FUGITIVE OFFENDER—*concld.*

(*c*) TRIAL, ETC., OF OFFENCES—*contd.*

Trial for false swearing or false evidence under Act	44-5V,c.69,s.22.	
Supplemental provisions as to trial and punishment	,,	s.23.
Issue of warrants for search of stolen goods, etc.	,,	s.24.
Legal custody of person removed by sea from British Possession	,,	s.25.

(*d*) SUPPLEMENTAL PROVISIONS.

Endorsement and execution of warrants	,,	s.26.
Conveyance of fugitives, prisoners, and witnesses by sea	,,	s.27.
Retaking escaped prisoners; trial of offence of escape, etc.	,,	ss.25,28.
Taking deposition in absence of accused; Authentication of warrants, depositions, etc., and admission in evidence of depositions, etc., except at trial	,,	s.29.
Order in Council for purposes of Act	,,	ss.31,32.
Power of legislature of British Possession to pass laws for carrying Act into effect	,,	s.32.
Application of Act to offences triable in more than one part of Her Majesty's dominions; to convicts, and persons in custody; and to places out of Her Majesty's dominions where Her Majesty has jurisdiction, etc.	,,	ss.33to36.
Rendition of fugitive offenders in British Dominions; application of 44-5 V. c. 69	Act15,1903,s.19.	

FUNDS.

Annuity funds of Indian Civil Service. *See* GOVERNMENT OF INDIA, 2 (*d*).

Cantonment Fund. *See* CANTONMENT, 3.

District Fund: *See* LOCAL SELF-GOVERNMENT, II, 5; III, 5; V, 5; VII, 5; VIII, 5; IX, 5.

District Road Fund. *See* LOCAL RATES AND CESSES, B, 4.

Hackney-carriage Fund, Bengal. *See* HACKNEY-CARRIAGE, II, 2.

Local Fund, Bombay. *See* LOCAL SELF-GOVERNMENT, IV, 5.

Municipal Funds:

See under MUNICIPALITY, (*Sub-heading* "Funds and Property.")

Patwari Fund. *See* PATWARIS, I, III.

Police Funds:

See OUDH, 5; POLICE, I, A, 2; D, 2; E, 2; G, 2; H, 2; J, 2; K 2; II, A, 4; B, 3, 4; III, F, 2; G.

Port Funds:

Generally. *See* PORT, I, 5.

See under PORT COMMISSIONERS OR TRUSTEES, (*Sub-heading* "Finance.")

Station Fund, Assam. *See* MUNICIPALITY.

Taluq Fund, Madras. *See* LOCAL SELF-GOVERNMENT, VII, 5

Union Fund:

Bengal. *See* LOCAL SELF-GOVERNMENT, III, 5.

Assam. *See* MUNICIPALITY.

Village-service Fund, Madras. *See* VILLAGE, F, 1 (*a*).

See also ELDERS WIDOWS' FUND; PROVIDENT FUND: REGULAR AND ELDERS WIDOWS' FUNDS.

GAMBLING ACT (BURMA), 1899. (*See* GAMING) . . Bur.Act1,1899.

GAMBLING. *See* GAMING : RAIN GAMBLING.

GAME AND FISH PRESERVATION ACT (NILGIRIS), 1879.
(*See* FISHERY, 5 ; GAME) . . . . . Mad. Act 2, 1879.

GAME.
Act 20, 1887, extends to whole of British India . . . . Act 20, 1887, s. 1.
" declared in force in—
Santhál Parganas . . . . . Reg. 3, 1872, s. 3, Sch.
Upper Burma (except Shan States) . . . Act 13, 1898, s. 4, Sch. 1.
Definition of "wild bird" . . . . . Act 20, 1887, ss. 2(3), 3(a).
Power to make rules prohibiting possession or sale of wild bird in municipality or cantonment during breeding-season, or importation into municipality or cantonment of plumage of wild bird during breeding-season ; penalties for breach of rules . " s. 3.
Power of Local Government to apply s. 3 to animals of game . " s. 4.
Nilgiris District :
Definition of "game" . . . . . Mad. Act 2, 1879, s. 2.
Power to fix close season . . . . . " s. 3.
" to take special measures for protection of other than indigenous game . . . . . " s. 4.
Penalty for breach of orders under s. 3 or s. 4 ; arrest ; procedure ; rewards to informers . . . . . " ss. 6 to 9.

GAMING. [1]
1857. Act 21, ss. 10 to 15 (Howrah).
1865. Bom. Act 3 (Contracts).
1866. Ben. Act 4, ss. 3, 44 to 51 (Police, Calcutta).
1867 Act 3 (Gaming, Ajmere, etc.).
" Ben. Act 2 (Gaming, Bengal).
1872. Act 9, s. 30 (Contracts).
1874. Act 14, s. 10 (Extension of Act 3, 1867).
1881. Act 13, s. 3, Sch. (Fort William).
1887. Bom. Act 4 (Gaming, Bombay Presidency).
1888. Mad. Act 3, ss. 3, 23, 42 to 51, 72 (Police, Madras City).
1889. Mad. Act 3, ss. 1, 3, 6 to 9 (Towns, Madras).
1890. Bom. Act 4, s. 61 (i) (Police, Bombay Districts).
1897. Ben. Act 3, s. 1 (Rain Gambling)
1899. Bur. Act 1 (Gambling, Burma).
" Bur. Act 4, s. 8A (Police, Rangoon.)
1902. Bom. Act 4, s. 126 (Police, Bombay City).
1903. Act 16, s. 49 (b) (Municipality, C. P.).
1907. Reg. 2, s. 48 (b) (Municipality, Coorg).

1. Preliminary.
2. Common Gaming-house.
3. Streets and Public Places.
4. Miscellaneous and Local.

1. Preliminary.

Act 3, 1867, title, preamble and s. 1, amended . . . . Act 1, 1903, s. 3.
Power to extend Act 3, 1867, to towns, etc. . . . . Act 3, 1867, s. 2.
" " Ben. Act 2, 1867, to towns, etc. . . . Ben. Act 2, 1867, s. 2.
" " Bom. Act 4, 1887, to local areas . . . Bom. Act 4, 1887, s. 1 (am. Bom. Act 1, 1910, s. 2).

[1] Act 3, 1867, is applicable to towns, etc., in Ajmere, Assam, the Sambalpur District in Bengal, British Baluchistan, the Central Provinces, Coorg, the North-West Frontier Province, the Punjab and the United Provinces. It has been declared in force in British Baluchistan by Reg. 1, 1890, s. 3.
Ben. Act 4, 1866, applies to Calcutta, and Ben. Act 2, 1867, may be applied to any town, etc., in Bengal, except Calcutta.
Ben. Act 2, 1867, has been declared in force in the Santhál Parganas by Reg. 3, 1872, s. 3 (am. Reg. 3, 1886).
Bom. Act 4, 1887, applies to the City of Bombay, the Island of Salsette, and, railway-station houses and environs thereof, and may be extended to any local area in the Presidency.
Mad. Act 3, 1888, applies to the City of Madras.

GAMING—*contd.*

1. Preliminary—*contd.*

General application of certain sections of Act 3, 1867 . . . Act3,1867,s.2.
" " " " Ben. Act 2, 1867 . . Ben.Act2,1867,s.16.
Act 3, 1867, declared in force in certain railway lands . . Act14,1874,s.10.
Act 3, 1867, repealed in Burma . . . . . Bur.Act1,1899,s.2.
Mad. Act 3, 1889 ss. 3 and 6 to 9, extend to municipal towns, and may be extended to other provincial areas by notification . Mad.Act3,1889,s.1(2).

Definition of "common gaming-house" . . Act21,1857,s.59.
Act3,1867,s.1.
(Bu.)Bur.Act1,1899,s.3(1).
Ben.Act4,1866,s.3.
Ben.Act2,1867,s.1.
Ben.Act3,1897,s.1(3).
Bom.Act4,1887,s.3.
Mad.Act3,1888,s.3.

"Gaming" includes rain-gambling . Act21,1857,s.59.
Ben.Act4,1866,s.3.
Ben.Act2,1867,s.1.
" " wagering . . Bom.Act4,1887,s.3.

Definition of "instruments of gaming" . Act21,1857,s.59.
Ben.Act4,1866,s.3.
Ben.Act2,1867,s.1.
Bom.Act4,1887,s.3.

2. Common Gaming-house.

Penalty for owning, keeping, having charge of, assisting in carrying on business of, or being found in . . . . . (Howrah)Act21,1857,ss.10,11.
Act3,1867,ss.3,4.
Ben.Act4,1866,ss.44,45.
Ben.Act2,1867,ss.3,4.
Bom.Act4,1887,ss.4,5.
Bur.Act1,1899,ss.11,12.
Mad.Act3,1888,ss.45,46.
Mad.Act3,1889,ss.6,7.

Powers of entry, search and arrest . . (Howrah)Act21,1857,s.12.
Act3,1867,s.5.
Bur.Act1,1899,s.6.
Bur.Act4,1899,s.8A.
Ben.Act4,1866,s.46(am.
Ben.Act3,1907,s.4).
Ben.Act2,1867,s.5.
Bom.Act4,1887,s.6.
Mad.Act3,1888,ss.23,42.
Mad.Act3,1889,ss.8,9(am.
Mad.Act3,1909,s.4).

Finding of cards, etc., to be evidence that place is used as . Act3,1867,s.6.
Ben.Act4,1866,s.47.
Ben.Act 2,1867,s.6.
Bom.Act4,1887,s.7.
Bur.Act1,1899,s.7.
Mad.Act3,1888,s.43.

Penalty on person arrested not giving name or address . . Act3,1867,s.7.
Ben.Act2.1867,s.7

GAMING—*contd.*

2. Common Gaming-house—*contd.*

Destruction of instruments of gaming, etc.	(Howrah)Act21,1857,s. 13. Act3,1867,s.8. Ben.Act4,1866,s.48. Ben.Act2,1867,s.8. Bom.Act4,1887,s.8. Bur.Act1,1899,s.15. Mad.Act3,1888,s.47.
Proof of playing for stakes unnecessary	Act3,1867,s.9. Ben.Act 4,1866,s.49. Ben.Act2,1867,s.9. Bom.Act4,1887,s.9. Mad.Act 3,1888,s.44.
Examination and indemnification of witnesses	Act3,1867,ss.10,11. Ben.Act4,1866,s.50. Bom.Act4,1887,s.10. Bur Act1,1899,s.9. Mad.Act 3,1888,s.48.
Saving of games of mere skill	Act3,1867,s.12. Ben.Act2,1867,s.10. Bom.Act4,1887,s.13. Bur.Act1,1899,s.4. Mad.Act3,1888,s.49.

3. Streets and Public Places.

Gaming, or setting birds or animals to fight: arrest; penalty	(Howrah)Act21,1857,s 15. Act3,1867,s.13. Ben.Act2,1867,s.11. Bom.Act4,1887,s.12(am. Bom.Act1,1910,s.2). (Bo.Town)Bom.Act4, 1902,s.126. Bom.Act4,1890,s.61(*i*). Bur.Act1,1899,ss.5,10. Mad.Act3,1888,s.72. Mad.Act3,1889,s.3(10).

4. Miscellaneous and Local.

Jurisdiction; penalty on second conviction; recovery and application of fines	Act 3,1867,ss.14,15,17. Ben.Act2,1867,ss.12to14. Bur.Act1,1899,s.14.
Fines to be credited to municipal fund	(Co.)Reg.2,1907,s.48(*b*). (C.P.)Act16,1903,s.49(*b*).
Rewards to informers	(Howrah)Act21,1857,s.14. Act3,1867,s.16. Ben.Act4,1866,s.51(am. Ben.Act3,1907,s.5). Bom.Act4,1887,s.11. Bur.Act1,1899,s.16. Mad.Act3,1888,s.50.
Application of definition of "offence" in Indian Penal Code	Ben.Act2,1867,s.15.
Act 3, 1867, repealed in Burma	Bur.Act1,1899,s.2.
Power of Magistrate to require accused person to give evidence touching any unlawful gaming, etc.	,, s.8.

GAMING—*concld.*

4. Miscellaneous and Local—*contd.*

Penalty for conducting game of "*ti*"; arrest for soliciting or collecting stakes therefor; power to require security for good behaviour from person living by carrying on or promoting, etc., unlawful gaming . . . . . Bur.Act1,1899,ss.13,17.

Penalty for cheating at games . . . . . (Bo.City)Bom.Act4,1902, s.126. Mad.Act3,1888,s.51.

Power to make rules for punishment of gaming in Fort William . Act13,1881,s.3,Sch.,cl. (16).

Penalty for permitting gaming in place of public resort or entertainment . . . . . (Bo.Town)Bom.Act4,1902, s.126.

Contracts as to gaming or wagering void . . . . . Act9,1872,s.30. Bom.Act3,1865,ss.1to3.

See also RAIN GAMBLING.

GANGES.

Definitions . . . . . (Agra)Act1,1867,s.1.

Toll to be levied on certain steamers, flats and boats. . . . ,, s.2.

Power to reduce and again raise tolls . . . . . ,, s.13.

Measurement of burden for purpose of levying tolls . . . ,, ss.3,10,13.

Collection of tolls . . . . . ,, ss.5to10.

Penalties for evasion of toll, etc. . . . . ,, s.11.

Reference to Magistrate of disputes as to tolls . . . . ,, s.12.

Tolls to be applied in improving navigation between Allahabad and Dinapur . . . . . ,, s.4.

Power to prohibit construction of bandhels, etc., likely to cause obstruction to navigation . . . . . ,, s.14.

Penalty for causing obstruction to navigation . . . . ,, s.15.

Power of Local Government to make rules as to navigation, etc. . ,, s.16.

Recovery and disposal of fines under Act . . . . . ,, s.17.

GANGES TOLLS. (*See* GANGES) . . . . . Act1,1867.

GANJAM AND VIZAGAPATAM ACT, 1839. (*See* DEREGULATIONISED TRACTS; GANJAM AND VIZAGAPATAM DISTRICTS; HIGH COURT; STATE PRISONER) . . . . . Act24,1839.

GANJAM AND VIZAGAPATAM DISTRICTS (certain tracts in).

Tracts detailed . . . . . Act24, 1839,s.2.

Power of Local Government to alter limits of tracts . . . ,, s.8.

Some of the tracts are Scheduled Districts. . . . . Act14,1874,s.1,Sch.I,Pt. I, Nos.IandII. Act15,1874,s.2,Sch.VI. Pt.I,Nos.IandII.

Rules for administration of civil and criminal justice and collection of revenue repealed in. . . . . Act24,1839,s.2.

Administration of civil and criminal justice, superintendence of police, and collection of revenues vested in Collectors as Agents to the Governor; power of Government to make rules . . ,, ss.3,4.

Jurisdiction of High Court . . . . . ,, ss.5,6.

Commitments by Agents under Mad. Reg. 2, 1819 (State Prisoners) . . . . . ,, s.7.

Act 3, 1873 (Civil Courts), does not extend to . . . . Act3,1873,s.1.

GARDENS. *See* PUBLIC PARKS.
GARO HILLS. (*See* FRONTIER, A.)
GARO HILLS REGULATION, 1882. (*See* FRONTIER, A, 3) . Reg.1,1882.
GAS COMPANY.
Bom. Act 5, 1863, applies to the Bombay Gas Company and the Town and Suburbs of Bombay . . . Bom.Act5,1863,ss.1,etc.
" " " may be extended by order to other Gas Companies and places . . . . . " s.27.
Definitions . . . . . " s.28.
Powers of Company as to breaking up streets, etc., and entering lands, etc., for purpose of laying down and removing pipes, etc. . . . . " ss.1to5,10.
Penalty on Company for breaking up street, etc., without notice, etc. . . . . " s.6.
Power to reinstate street, etc., in default of Company and recover cost from it . . . . . " s.7.
Powers of Company as to entry for ascertaining quantity of gas consumed . . . . . " s 8.
" " for recovery of gas rents . . . . . " s.9.
Meters, etc., not liable to distraint for rent, etc. . . . . " s.11.
Penalties for fraudulent use of gas, or damaging property of . " ss.12to14.
Penalty and enquiry in case of fouling of water, etc., by; expenses of enquiry . . . . . " ss.15to20.
Act not to affect liability of, for nuisance, or liability to other legal proceedings . . . . . " s.21.
Copies of memorandum of association and other documents relating to, to be kept open to inspection, etc.; certified copies to be evidence . . . . . " s.22.
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Recovery of fines, etc. . . . . " ss 24to26.
GAZETTE.
Definitions of. *See* WORDS AND PHRASES.
Act 31, 1863, declared in force throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.
Publication in Gazette of India to be a sufficient compliance with law directing publication in official Gazette . . . . Act31,1863.
Substitution of Eastern Bengal and Assam Gazette for Calcutta Gazette and Assam Gazette . . . . . Act7,1905,s.3,Sch.D.,Pt.I.
Substitution of Calcutta Gazette for Central Provinces Gazette . " " Pt.II.
Substitution of Gazette of India for Punjab Government Gazette Reg.7,1901,s.6(1)(*g*).
GENERAL CLAUSES ACT, 1897. [*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES; CHIEF COMMISSIONER; CRIMINAL LAW (IND.); CRIMINAL PROCEDURE (IND.)] . . . . . Act10,1897.
" " " (BENGAL), 1899 (*See* ACTS AND REGULATIONS.) Ben.Act1,1899.
" " " (BOMBAY), 1904 Bom.Act1,1904.
" " " (E. B. & A.), 1909 E.B.&A.Act1,1909.
" " " (BURMA), 1898 Bur.Act1,1898.
" " " (MADRAS), 1867 Mad.Act1,1867.
" " " " 1891 Mad.Act1,1891.
" " " (AMENDMENT) ACT, (MADRAS), 1896 Mad.Act2,1896.
" " " (PUNJAB) ACT, 1898 P.Act1,1898.
" " " (U. P.) ACT, 1904 U.P.Act1,1904.

GHATWALI MAHALS, BEERBHOOM. *See* LANDLORD AND TENANT, III, B; LAND-REVENUE, III, 5.

GIFT.

Definition of "gift," "donor" and "donee" . . . . . Act4,1882,s.123.

Registered instrument required for gift of immoveable property . Gift of moveable property may be made by registered instrument or by delivery . . . . . ,, s.123.

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Power to exempt territory from operation of . . . Not to apply to territory excluded from operation of Registration Act . . . . . ,, s.1.

Extended to all cantonments . . . . . Act15,1910,s.29.

Void in certain cases . . . . . Act4,1882,ss.122,124,125.

Suspension and revocation of . . . . . ,, s.126.

Onerous . . . . . ,, s.127.

Universal donee how far liable for debts of donor . . . . ,, s.128.

In contemplation of death . . . . . Act10,1865,s.178.

See also TRANSFER OF PROPERTY, A.

GLANDERS AND FARCY ACT, 1899. (*See* ANIMAL, A) . . . Act13,1899.

GLANDERS AND FARCY LAW AMENDMENT ACT, 1910. (*See* ANIMAL A) . . . . . Act12,1910.

GOALPARA DISTRICT. *See* EASTERN DVARS.

GODAVARI DISTRICT.

Certain parts of, are a Scheduled District . . . . . Act14,1874,s.1,Sch.I. Pt.I,No.III. Act15,1874,s.2,Sch.VI, Pt. 1, No. III.

GOOD FAITH defined. *See* WORDS AND PHRASES.

GOVERNMENT; definitions of. *See* WORDS AND PHRASES.

GOVERNMENT BUILDINGS ACT, 1899 . . . . . Act4,1899.

GOVERNMENT BUILDINGS.

Act 4, 1899, extends to whole of British India . . . . . Act4,1899,s.1.

,, declared in force in Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

"Municipal authority" defined . . . . . Act4,1899,s.2.

Exemption of, from Municipal building laws . . . . . ,, s.3.

Entry and inspection of and objections or suggestions as to, by municipal authority . . . . . ,, s.4.

GOVERNMENT MANAGEMENT OF PRIVATE ESTATES ACT, 1892. (*See* RATES AND CHARGES) . . . . . Act10,1892.

GOVERNMENT OCCUPANTS (SIND) ACT, 1899 GOVERNMENT OCCUPANTS (SIND) AMENDMENT ACT, 1908 . . . . . *See* LAND (IND.-LAW) D Bom.Act3,1899. Bom.Act1,1908.

GOVERNMENT OF INDIA ACT, 1800.[1] (*See* GOVERNMENT OF INDIA; HIGH COURT) . . . 39-40G.3,c.79.

,, ,, ,, 1833.[1] (*See* BISHOPS AND CLERGY; CAPITAL PUNISHMENT; CRIMINAL LAW AND PROCEDURE (ENG.); EUROPEAN BRITISH SUBJECT; GOVERNMENT OF INDIA; INDIAN MILITARY AND NAVAL FORCES; ST. HELENA) . . . . 3-4W.4,c.85.

[1] This short title was given 59 by & 60. Vict.c. 14.

GOVERNMENT OF INDIA ACT 1853.[1] (*See* COMMANDER-IN-CHIEF; GOVERNMENT OF INDIA; INDIAN MILITARY AND NAVAL FORCES) — 16-17V.c.95.
" " " 1854.[1] (*See* GOVERNMENT OF INDIA) . . . — 17-18V.c.77.
" " " 1858.[1] (*See* ADVOCATE GENERAL; FINANCE; GOVERNMENT OF INDIA; INDIAN MILITARY AND NAVAL FORCES) . . — 21-22V.c.106.
" " " 1859.[1] (*See* FINANCE; GOVERNMENT OF INDIA; PROPERTY) . . . — 22-23V.c.41.
" " " 1865.[1] (*See* GOVERNMENT OF INDIA) . . . — 28-29V.c.17.
" " " 1869.[1] (*See* GOVERNMENT OF INDIA) . . . — 32-33V.c.97.
" " " 1870.[1] (*See* GOVERNMENT OF INDIA) . . . . — 33-34V. c.3.

GOVERNMENT OF INDIA.

1770. 10 G. 3, c. 47, s. 4 (Crim. Proceedings).
1772-3. 13 G. 3, c. 63 (East India Company; Government, etc.).
1780-1. 21 G. 3, c. 70 (East India Company; Administration of Justice).
1786. 26 G. 3, c. 62[2], ss. 1 to 3 (East India Company, Money).
1787-8. 28 G. 3, c. 29[2] (East India Company, Money).
1789. 29 G. 3, c. 65[2], ss. 1, 2 (East India Company, Money).
1790-1. 31 G. 3, c. 11[2] (East India Company, Money).
1792-3. 33 G. 3, c. 47[2] (East India Company, Money).
" 33 G. 3, c. 52 (East India Company; Government, etc.).
1793. Ben. Reg. 38 (Loans by Members of Indian Civil Service).
1794. 34 G. 3, c. 41[2] (East India Company, Money).
1799-1800. 39-40 G. 3, c. 79 (East India Company; Government, etc.).
1802. Mad. Reg. 19 (Loans by Members of Indian Civil Service).
1811. 51 G. 3, c. 64[2], s. 4 (East India Company; Transfer of Bonds).
1812-3. 53 G. 3, c. 155 (East India Company; Government, etc.).
1814-5. 55 G. 3, c. 84 (Presidency-towns).
1823. Ben. Reg. 7 (Loans to Members of Indian Civil Service).
1826. 7 G. 4, c. 56 (East India Company; Salaries).
1833. 3-4 W. 4, c. 85 (East India Company; Government, etc.).
1835. 5-6 W. 4, c. 52, s. 2 (East India Company; Government).
1837. 7 W. 4 & 1 V. c. 47 (East India Company; Salaries).
1850. Act 5 (Coasting Trade).
1852-3. 16-7 V. c. 95 (East India Company; Government, etc.).
" 16-7 V. c. 107, s. 329 (Coasting Trade).
1854. 17-8 V. c. 77 (East India Company; Government).
1857-8. 21-2 V. c. 3[2] (East India Company; Money).
" 21-2 V. c. 106 (East India Company; Transfer of Government to Crown, etc.).
1859. 22-3 V. c. 41 (Contracts, etc.).
1860. 23-4 V. c. 89 (Superannuation).
1861. 24-5 V. c. 54 (Civil Service).
" 24-5 V. c. 67[3] (Government; Councils).
" 24-5 V. c. 104, ss. 9, 11 (High Courts).
1865. 28-9 V. c. 15, ss. 4, 6 (Powers of Crown).
" 28-9 V. c. 17 (Government).
1866. 29-30 V. c. 115 (Straits Settlements).

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] Collective title ["East India Company (Money) Acts 1786 to 1858"] given by 59 & 60 Vict, c.14.
[3] Collective title ("Indian Councils Acts, 1861 to 1909") given by 9 Edw. 7, c. 4, s. 8(1).

GOVERNMENT OF INDIA—*contd.*

1866. Ben. Act 3 } (Witnesses before Legislative Council.)
„ Bom. Act 13 }
1869. 32-3 V. c. 97 (Government).
„ 32-3 V. c. 98 [1] (Councils).
1870. 33-4 V. c. 3 (Government).
„ 33-4 V. c. 59, s. 2 (Contracts, etc.).
1871. 34-5 V. c. 34, [1] ss. 1, 3 (Councils).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. 37-8 V. c. 12 (Civil Service Annuity Funds Transfer).
1874. 37-8 V. c. 91 [1] (Council of Governor General).
„ Act 15, ss. 4, 6, 7 (Laws Local Extent).
1876. 39-40 V. c. 10 (Royal Titles).
„ 39-40 V. c. 46, ss. 2, 5 (Slave Trade, etc.).
1880. 43 V. c. 3 (Salaries).
1881. 44-5 V. c. 63 (Pensions).
1882. 45-6 V. c. 45 (Bombay Civil Fund, etc.).
1885. Ben. Act 3, s. 53 (6) (*a*) (Local Self-Government, Bengal).
1892. 55-6 V. c. 14[1] (Councils).
„ 55-6 V. c. 40 (Pensions).
1894. 57-8 V. c. 60, s. 736 (Coasting Trade).
1897. Act 5, s. 4 (Short Titles).
1901. 1 Edw. 7, c. 15 (Royal Titles).
1903. 3 Edw. 7, c. 11 (Contracts, India Office).
1904. 4 Edw. 7, c. 26 (Indian Councils).
1907. 7 Edw. 7, c. 35 (Council of India).
1909. 9 Edw. 7, c. 4 (Indian Councils).

1. East India Company [1] | **2. Present Government.**
3. Miscellaneous Provisions.

1. East India Company.

Formation, privileges, government, etc., of Company . . . 13G.3,c.63. 21G.3,c.70. 33G.3,c.52. 39-40G.3,c.79. 53G.3,c.155. 3-4W.4,c.85. 16-7V.c.95.

Raising of capital and loans by Company . . . . . 26G.3,c.62,ss.1to3. 28G.3,c.29. 29G.3,c.65,ss.1,2. 31G.3,c.11. 33G.3,c.47. 34G.3,c.41. 21-2V.c.3.

Bonds of Company, transferable by delivery . . . . . 51G.3,c.64,s.4.

Property of Company, except dividend on capital stock, to be held in trust for Crown . . . . . 3-4W.4,c.85,s.1.

Cesser of powers of Company in relation to Government . . 21-2V.c.106,s.1.

Release of Company from existing obligations on transfer of Government to Crown . . . . . „ s.71.

2. Present Government.

"British India," "India;" meaning of—
in Acts of Parliament. *See* ACTS OF PARLIAMENT, 2.
in Acts and Regulations of the Governor General in Council. *See* ACTS AND REGULATIONS, 2 (*a*).

Extension of 3 & 4 Will. 4, c. 85, 16 & 17 Vict. c. 95, and 24 & 25 Vict. c. 67, s. 22, to after-acquired territory . . . . 5-6V.c.14,s.3.

[1] Collective title ("Indian Councils Acts, 1861 to 1909") given by Edw. 7, c. 4, s. 8 (1).

GOVERNMENT OF INDIA—*contd.*

2. Present Government—*contd.*

(*a*) HOME GOVERNMENT.

Transfer to Crown of territories, government, property, officers, etc. . . . . 21-2V.c.106,ss.1,2,39,58, 64.
Treaties made by Company to be binding on Crown . . . ,, s.67.
Admissions to service not specially provided for vested in Crown ,, s.33.
Power of Crown to remove person holding civil or military office . 3-4W.4,c.85,ss.74,75.
,, ,, to assent to or disallow law, regulation, order, etc., made by Governor General, Governor of Presidency, etc., in Council . . . . 24-5V.c.67,ss.20,21,41, 48,49. 28-9V.c.15,s.4, 28-9V.c.17,s.5.
Recognition of transfer of government by addition to titles of Crown . . . . . 39-40V.c.10.
Royal titles . . . . . 1Edw.7,c.15.
Saving of rights of Crown . . . . . 24-5V.c.67,s.52.
Secretary of State [*see also below*, (*b*)]:
Transfer to, of powers formerly exercised by Company or Board of Control . . . . . 21-2V.c.106,s.3.
Salary of, and of Under-Secretary . . . . . ,, s.6.
To be President of Council, with power to appoint Vice-President . . . . . ,, s.21.
Power of, to divide Council into committees . . . . ,, s.20.
,, where difference of opinion in Council . . . ,, ss.23,25.
,, to act without Council in cases of urgency or secrecy . ,, ss.26to28.
,, to dismiss officers and servants . . . . 3-4.W.4,c.85,s.75. 21-2V.c.106,s.3.
Signing of documents by . . . . . ,, ss.3,1.
Council of India:
Establishment of, supply of vacancies in, qualifications for, tenure of office in, salaries and pensions of members of . 21-2V.c.106,ss.7,10to13. 32-3V.c.97. 7Edw.7,c.35.
Duties of, under direction of Secretary of State . . . . 21-2V.c.106,s.19.
Division of, into committees, by Secretary of State . . ,, s.20.
Secretary of State to be President of; appointment of Vice-President of . . . . . ,, s.21.
Meetings, quorum, and proceedings of . . . . . ,, ss.22to25.
Secretary of State in Council [*see also below*, (*b*), (*d*) *and* 3]:
Appointment, removal, superannuation, etc., of members of establishment of . . . . . 53G.3,c.155,ss.93,94. 21-2V.c.106,ss.15,16,18. 23-4V.c.89.
Power of, to make regulations as to patronage, etc., in India . 3-4W.4,c.85,s.78. 21-2V.c.106,s.30.
,, ,, ,, as to admission to service, etc. . ,, s.37.
,, to deal with property transferred to Crown, and to make contracts . . . . . ,, s.40. 22-3V.c.41. 3Edw.7,c.11.
,, to give to and withdraw from Governor in Council, etc., power to propose regulations for parts of his Presidency, etc. . . . . 33-4V.c.3,s.1.
,, to fix certain allowances and salaries . . . 43V.c.

GOVERNMENT OF INDIA—*contd.*

2. **Present Government**—*contd.*

(*a*) HOME GOVERNMENT—*contd.*

Secretary of State in Council—*contd.*

Saving of powers of	24-5V.c.67,s.52.
Communication to, of removals from office in India by Crown	21-2V.c.106,s.38.
Application to, of Acts, etc., referring to Company	,, s.64.
Contracts of Company binding on	,, ss.67,68.
May sue and be sued	,, s.65.
Pensions in respect of service in India Office	23-4V.c.89. 44-5V.c.63. 55-6V.c.40.

See also FINANCE ; RAILWAY, 10.

(*b*) GOVERNOR GENERAL, AND COUNCIL OF GOVERNOR GENERAL [*see also below*, (*c*), 3].

Governor General :

Appointment of, by Crown	21-2V.c.106,s.29.
Salary and allowances of	3-4W.4,c.85,ss.76,77,79. 43V.c.3.
Resignation of, what deemed to be	3-4W.4,c.85,s.79.
Disobedience of orders or breach of duty by, a misdemeanour	,, s.80.
Provisional appointment to office of	,, s.61.
Temporary provision in case of vacancy in office of	,, s.62. 24-5V.c.67,ss.50,51.
Application to, of provisions relating to Governor General of Fort William	3-4W.4,c.85,s.52.
No longer to be Governor of Presidency of Fort William	17-8V.c.77,s.5.
Exercise by, of powers of Governor General in Council, in certain cases	21-2V.c.106,s.63. 24-5V.c.67,ss.6,51.
Power of, to make rules for conduct of business of Council	24-5V.c.67,s.8. 37-8V.c.91,s.3.
Assent of, required for validity of laws and regulations, etc.	24-5V.c.67,ss.18,20,40,48. 33-4V.c.3,s.1.
Power of, in case of emergency to make ordinances	24-5V.c.67,s.23.
,, to constitute new provinces	,, s.46.
,, to act in opposition to Council in certain cases	33-4V.c.3,s.5. 37-8V.c.91,s.3.
Provisions in case of absence of, from meeting of Council	24-5V.c.67,s.7.

Council of Governor General :

Appointment, salaries, etc., of ordinary members, and composition, style, etc., of	3-4W.4,c.85,ss.76,77,79. 21-2V.c.106,s.7. 24-5V.c.67,ss.3to5,26. 32 3V.c.97,s.8. 37-8V.c.91. 43V.c.3. 4Edw.7,c.26.
Provisional appointment to	3-4W.4,c.85,s.61.
Disobedience of orders of breach of duty by member of, a misdemeanour	,, s.80.
Appointment and powers of temporary President of	24-5V.c.67,s.6.
Appointment and powers of Vice-President	9Edw.7,c.4,s 4.

GOVERNMENT OF INDIA—*contd.*

2. Present Government—*contd.*

(*b*) GOVERNOR GENERAL, AND COUNCIL OF GOVERNOR GENERAL—*contd.*

Council of Governor General—*contd.*

Meetings and proceedings of	24-5V.c.67,ss.9,15,17,18, 53. 9Edw.7,c.4,s.8.
Quorum at meetings of	3-4W.4,c.85,s.48. 24-5V.c.67,s.15. 9Edw.7,c.4,s.1(2).
Additional members of, for making laws and regulations	24-5V.c.67,ss.9to12,14. 33-4V.c.3,s.3. 55-6V.c.14,s.4. 9Edw.7,c.4,ss.1,6,8,Sch.1.
Business at meetings of, for making laws and regulations	24-5V.c.67,ss.18,19. 9Edw.7,c.4,s.5.
Saving of enactments relating to	24-5V.c.67,s.2.
Governor General in Council:	
Control of civil and military government of India vested in	3-4W.4,c.85,s.39.
Application to, of provisions relating to Governor General of Fort William in Council	,, s.52.
Transfer to, of certain powers for government of Fort William	17-8V.c.77,s.5.
Control of Presidencies by	3-4W.4,c.85,s.65.
Power of, with sanction of Crown, to extend to Bengal, North-West Provinces and Punjab powers of making laws and regulations	24-5V.c.67,ss.44,49.
,, with sanction of Secretary of State, to assume immediate government of any part of territories	17-8V.c.77,s.3.
,, to appoint territorial limits of Presidencies, etc., subject to control of Secretary of State in Council and Crown	24-5V.c.67,ss.47,49. 28-9V.c.17,ss.4,5.
,, to make articles of war	53G.3,c.155,s.96. 3-4W.4,c.85,s.73.
,, as to residence of natural-born British subjects in parts of Indian territory, and acquisition of land	,, s.84,86. 32-3V.c.98,s.3.
,, to deal with property transferred to Crown, and to make contracts	22-3V.c.41. 33-4V.c.59,s.2.
,, to appoint time and place for meeting of Council, and to make rules as to conduct of business at meetings for making laws, etc.	24-5V.c.67,ss.9,17,18. 9Edw.7,c.4.s.5.
Laws and regulations; powers of, for making	3-4W.4,c.85,ss.46,84,86, 88. 24-5V.c.67,ss.20,24,25. 28-9V.c.17,ss.1,2. 32-3V.c.98,s.1. 39-40V.c.46,s.2. 9Edw.7,c.4,s.1.
,, ,, validity of	3-4W.4,c,85,s.45. 24-5V.c.67,ss.20,24,25. 33-4V.c.3,s.2.
,, ,, to be laid before Parliament; saving of right of Parliament to legislate for Indian territories	3-4W.4,c.85,.s.51.
Approval by, of draft regulations proposed by Governor in Council, Lieutenant-Governor, etc.	33-4V.c.3,s.1.

GOVERNMENT OF INDIA—*contd.*

2. Present Government—*contd.*

(*b*) Governor General, and Council of Governor General—*contd.*

Governor General in Council—*contd.*

Signing of documents relating to proceedings of . . . . 33G.3,c.52,s.39. 53G.3,c.155,s.79.

Saving of powers of. . . . . 24-5V.c.104,ss.9,11. 28-9V.c.15,s.6. 39-40V.c.46,s.5. 55-6V.c.14,s.7.

See also High Court.

(*c*) Presidencies, Provinces, etc.

Power to declare and alter limits of Presidencies, etc. . . . 3-4W.4,c.85,s.38. 24-5V.c.67,ss.47,49. 28-9V.c.17,ss.4,5.

Provision for dividing Fort William into two Presidencies, and suspension of that provision . . . . . 3-4W.4,c.85,ss.38,71. 16-7V.c.95,ss.15,19. 17-8V.c.77,s.4.

Creation of Lieutenant-Governorship of North-West Provinces, and continuance during suspension of provision for dividing Presidency of Fort William . . . . . 5-6W.4,c.52,s.2. 16-7V.c.95,s.15. 17-8V.c.77,s.4.

Power to create Governorship or Lieutenant-Governorship of Bengal . . . . . 16-7V.c.95,s.16. 17-8V.c.77,ss.4,5.

" constitute one new Presidency or Lieutenant-Governorship . . . . . 16-7V.c.95,ss.17,19.

" constitute new provinces . . . . . 24-5V.c.67,s.46.

Administration of Presidencies by Governor and Council, or Governor alone, under control of Governor General in Council . 3-4W.4,c.85,ss.56,57,59, 65,67,68. 16-7V.c.95,s.19. 17-8V.c.77,s.4.

Governor:

Appointment of, by Crown . . . . . 21-2V.c.106,s.29.

Salary and allowances of . . . . . 3-4W.4,c.85,ss.76,77,79. 43V.c.3.

Resignation of, what deemed to be . . . . . 3-4W.4,c.85,s.79.

Disobedience of orders or breach of duty by, a misdemeanour . . " s.80.

Provisional appointment to office of . . . . . " s.61.

Temporary provision in case of vacancy in office of . . " s.63. 24-5V.c.67,s.50.

Power of, to make rules for conduct of business in Council . " s.28.

Assent of, to laws and regulations . . . . . " s.39.

To act as Governor General during vacancy . . . . . " ss.50,51.

To be extraordinary member of Council of Governor General at meetings within his Presidency . . . . . " s.9.

Control of, by Governor General in Council . . . . . 3-4W.4,c.85,s.65.

Powers of, not suspended during presence of Governor General in his Presidency . . . . . " s.67.

To send copies and reports of proceedings, etc., to Governor General in Council . . . . . " s.68.

Council:

Appointment and powers of Vice-President . . . . . 9Edw.7,c.4,s.4.

GOVERNMENT OF INDIA—*contd.*

2. Present Government—*contd.*

(c) PRESIDENCIES, PROVINCES, ETC.—*contd.*

Council—*contd.*

Appointment, resignation, salaries, etc., of ordinary members, and composition of . . . . . 3-4W.4,c.85,ss.56,57,76,77,79. 24-5V.c.67,s.26. 32-3V.c.97,s.8. 9Edw.7,c.4,s.2.

Disobedience of orders or breach of duty by member of, a misdemeanour . . . . . 3-4W.4,c.85,s.80.

Provisional appointment to . . . . . ,, s.61.

Temporary provision in case of vacancy in . . . . . 24-5V.c.67,s.27.

Proceedings of . . . . . 24-5V.c.67,ss.28,34,36,53. 9Edw.7,c.4,ss.1,8.

Additional members of, for making laws and regulations . 24-5V.c.67,ss.29to31,33. 55-6V.c.14,s.4. 9Edw.7,c.4,ss.1,6,sch.I.

Business at meetings of, for making laws, etc. . . . . 24-5V.c.67,ss.37,38. 9Edw.7,c.4,s.5.

Power to revoke or suspend appointment of, or reduce number of . . . . . 3-4W.4,c.85,s.57.

Saving of enactments relating to . . . . . 24-5V.c.67,s.2.

Witnesses before Bombay Legislative Council:

Power of Governor to require any person to attend to give evidence before Council or Committee thereof and to produce documents . . . . . Bom.Act13,1866,ss.1,6.

Administration of oath to . . . . . Bom.Act13,1866,s.2.

Warrant for arrest and custody of person refusing to attend or give evidence . . . . . Bom.Act13,1866,s.3.

Payment of expenses of . . . . . Bom.Act13,1866,s.4.

Governor in Council (*see also* JUSTICE OF THE PEACE):

Executive government to be administered by, under Governor General in Council . . . . . 3-4W.4,c.85,ss.56,65.

To send copies and reports of proceedings, etc., to Governor General in Council . . . . . ,, s.68.

Powers of, for making laws and regulations . . . . . 24-5V.c.67,ss.39to43,47. 34-5V.c.34,ss.1,3. 9Edw.7,c.4,s.1.

,, for amending laws made by other authorities in India . . . . . 55-6V.c.14,ss.5,6.

,, to propose draft regulations for part of territory in certain cases . . . . . 33-4V.c.3,s.1.

,, to deal with property transferred to Crown, and to make contracts . . . . . 22-3V.c.41. 33-4V.c.59,s.2.

Signing of documents relating to proceedings of . . . . . 33G.3,c.52,s.39. 53G.3,c.155,s.79.

Saving of existing rights of . . . . . 3-4W.4,c.85,s.56.

Lieutenant-Governor:

Power to appoint, for North-West Provinces . . . . . 5-6W.4,c.52,s.2.

,, ,, for Bengal . . . . . 16-7V.c.95,s.16.

,, ,, additional . . . . . ,, s.17. 24-5V.c.67,s.46.

GOVERNMENT OF INDIA—*contd.*

2. Present Government—*contd.*

(c) PRESIDENCIES, PROVINCES, ETC.—*contd.*

Lieutenant-Governor—*contd.*

Appointment of . . . . . 21-2V.c.106,s.29.
Salary of . . . . . 16-7V.c.95,s.35.
Power to constitute executive council to assist . . . . 9Edw.7,c.4,s.3.
Appointment and powers of Vice-President . . . . ,, s.4.
Witnesses before Bengal or Eastern Bengal and Assam Legislative Council :
Power of Lieutenant-Governor to require any person to attend to give evidence before Council or Committee thereof and to produce documents . . . . . Ben.Act3,1866,ss.1,5,6.
Administration of oath or affirmation to . . . . . ,, s.2.
Warrant for arrest and custody of person refusing to attend or give evidence . . . . . ,, s.3.
Payment of expenses of . . . . . ,, s.4.
Ben. Act 3, 1866, declared in force in the Santhál Parganas . Reg.3,1872,s.3.
Travelling expenses of delegates of District Board in attending meetings for election of members of the Bengal Legislative Council, payable from the District Fund . . Ben.Act3,1885,s.53(6)(*a*) (ins.Ben.Act5,1908,s.27).
Lieutenant-Governor or Chief Commissioner to be extraordinary member of Council of Governor General at meetings within his province . . . . . 24-5V.c.67,s.9. 33-4V.c.3,s.3.
Power to Lieutenant-Governor, etc., to deal with property transferred to Crown, and to make contracts . . . . . 22-3V.c.41. 33-4V.c.59,s.2.
Extension to Lieutenant-Governorships of powers for making laws and regulations . . . . . 24-5V.c.67,ss.44to49. 34-5V.c.34,s.1. 9Edw.7,c.4,ss.1,5,6,Sch.1.
Power to Lieutenant-Governor or Chief Commissioner to propose draft regulations for part of territory in certain cases . . 33-4V.c.3,s.1.
Power to Lieutenant-Governor of Bengal in Council to repeal and amend certain Acts as regards jurisdiction over European British subjects . . . . . 34-5V.c.34,s.3.

(d) THE INDIAN CIVIL SERVICE.

Regulations as to admission to service ; appointment to and qualification for offices ; precedence, salaries, etc. . . . 33G.3,c.52,ss.37,57,70. 53G.3,c.155,ss.82,85,86. 7G.4,c.56. 3-4W.4,c.85,s. 79. 7W.4,&1V.c.47. 16-7V.c.95,s.32. 21-2V.c.106,ss.30,32. 33,37,38,58,64. 24-5V.c.54.
Collectors to be members of Indian Civil Service ; their general duties. *See* LAND-REVENUE, III, 2. V, A, 2 ; XIII, 2.
Appointment of natives to offices and employments in Civil Service . . . . . 33-4V.c.3,s.6.
Disobedience of orders or breach of duty by civil servant a misdemeanour . . . . . 3-4W.4,c.85,s.80.
Transfer to Secretary of State in Council of Civil Service annuity funds, and payment of annuities out of Indian revenues . 37-8V.c.12,ss.2,3.

GOVERNMENT OF INDIA—*concld.*

2. Present Government—*concld.*

(*d*) The Indian Civil Service—*contd.*

Transfer to Secretary of State in Council of Provident Branch of Bombay Civil Fund, and power to transfer Bengal and Madras Civil Funds; charge of liabilities on Indian revenues . . . 45-6V.c.45.

Receipt of gifts by civil servant, or being party to corrupt contract, a misdemeanour . . . . . 13G.3,c.63,ss.23to25. 33G.3,c.52,ss.62,63,64,66. 3-4W.4,c.85,s.76.

Members of, prohibited from lending money to landholders, etc. Ben.Reg.38,1793,s.2. Mad.Reg.19,1802,s 2.

" " " borrowing money from native officers or other persons . . Ben.Reg.7,1823,ss.2,3.

" all persons prohibited from lending money to, in contravention of Regulation . . . . " s.4.

" to report their indebtedness to Local Government in certain cases . . . . . " s.6.

Suits for recovering penalties under Ben. Reg. 7, 1823; appeals . " s.8.

Short titles given to Ben. Regs. 38, 1793, and 7, 1823 . . Act5,1897,s.4.

Ben. Regs. 38, 1793, s. 2,[1] and 7, 1823,[1] declared in force—

throughout Bengal and the Province of Agra, except as regards the Scheduled Districts . . . . . Act15,1874,ss.6,7.

in the Santhál Parganas . . . . . Reg.3,1872,s.3.

Mad. Reg. 19, 1802, s. 2, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . Act15,1874,s.4.

3. Miscellaneous Provisions.

Limits of towns of Calcutta, Madras, and Bombay . . . 55G.3,c.84,s.1.

Transfer of St. Helena from East India Company to Crown . 3-4W.4,c.85,s.112.

Separation of Straits Settlements from India . . . . 29-30V.c.115.

Provisions for regulation of colleges, etc., and for encouragement of schools, etc., for benefit of natives . . . . 53G.3,c.155,ss.42,43.

Natives not to be subject to disabilities for religion or race . 3-4W.4,c.85,s.87.

Reservation of right of Parliament to legislate for India . . " s.51.

Provisions as to residence of natural-born British subjects in parts of territory, and acquisition of land . . . . " ss.84,86. 32-3V.c.98,s.3.

Prohibition on Governor General, judges, and persons holding civil or military office receiving gratuities . . . . . 13G.3,c.63,ss.23to25. 33G.3,c.52,ss.62to64.

5-6W. 4, c. 62, s. 2, repealed as to British India . . . . Act10,1873.

Regulation of coasting trade . . . . . 16-7V.c.107,s.329. 57-8V.c.60,s.736. Act5,1850.

Information by principal law officer in cases of revenue, Crown debts, etc. . . . . 53G.3,c.155,s.111.

Application of fines, escheated property, etc. . . . . 16-7V.c.95,s.27.

Elders Widows' Fund. *See* Elders Widows' Fund.

Regular and Elders Widows' Funds, transfer of, to Secretary of State in Council. *See* Regular and Elders Widows' Fund.

Powers as to extradition treaties with Indian or other adjoining States not affected by Extradition Acts. *See* Extradition.

[1] These enactments have also been declared in force in Assam (except the North Lushai Hills) by notification under the Scheduled Districts Act, 1874.

GOVERNMENT OFFICERS' INDEMNITY ACT, 1860. (*See* MUTINY) . . . . . Act34,1860.
GOVERNMENT SAVINGS BANKS ACT, 1873. (*See* BANK; LUNATIC 5; MARRIED WOMAN; MINOR; MINORITY) . . . Act5,1873.
GOVERNMENT SEAL ACT, 1862. (*See* SEAL) . . . . Act3,1862.
GOVERNMENT SECURITIES.
Defined . . . . . Act13,1886,s.3.
Engraving, etc., of signature of Government officer on . . „ s.10
Notice of trust in respect of, not receivable by Government . . „ s.4.
Payable to survivor of joint payees . . . . . „ s.5.
Holder of, not an indorser if he signs for purpose of negotiation elsewhere than on the back . . . . . „ s.6.
Holding or indorsement of, *ex officio* . . . . . „ s.7.
Indorser of, not liable for payment . . . . . „ s.9.
Issue of renewed and duplicate securities; Government when released from liability in respect of original security . . . „ ss.11to13.
Transfer and discharge of certificates and coupons issued in connection with Government loan . . . . . „ s.8.
Power of Governor General in Council to make rules as to; publication of rules . . . . . „ ss.14,15.
Act 13, 1886, declared in force in Upper Burma generally (except the Shan States) . . . . . Act13,1898,s.4,sch.1.
Certain, deemed personal estate in England . . . . . 23-4V.c.5,s.1.
GOVERNMENT TENANTS (PUNJAB) ACT, 1893. (*See* LANDLORD AND TENANT, XI, B) . . . . . Act3,1893.
GOVERNMENT WARDS REGULATION (AJMERE), 1888. (*See* COURT OF WARDS). . . . . Reg.1,1888.
GOVERNOR. *See* GOVERNMENT OF INDIA, 2 (*c*).
GOVERNOR GENERAL, AND GOVERNOR GENERAL IN COUNCIL. *See* GOVERNMENT OF INDIA, 2 (*b*).
GRAIN CARGO. *See* MERCHANT SHIPPING, 1 (*b*), 2 (*g*), 7 (*b*), 11 (*c*).
GRANT OF MONEY OR LAND-REVENUE. *See* PENSION AND GRANTS, ETC.
GRANTEES, OUDH. *See* TALUQDARS AND GRANTEES.
GRAZING. *See* ANIMAL, B, 2; FRONTIER, E, 5.
GUARANTEE, CONTRACT OF. *See* CONTRACT, 5 (*b*).
GUARANTEED RAILWAYS ACT (INDIAN), 1879. (*See* RAILWAY) . . . . . 42-3V.c.41.
GUARDIAN defined. *See* WORDS AND PHRASES.
GUARDIANS AND WARDS ACT, 1890. (*See* GUARDIAN AND WARD; MINORITY) . . . . . Act8,1890.
GUARDIAN AND WARD.

Preliminary.

Act 8, 1890, extends to whole of British India, including British Baluchistan . . . . . Act8,1890,s.1.
„ „ declared in force in Angul District . . . Reg.1,1894,s.3.
„ „ „ Santhál Parganas . . . Reg.3,1872,s.3,sch.
„ „ „ Upper Burma except Shan States Act13,1898,s.4,sch.1.

GUARDIAN AND WARD—*contd.*

1. Appointment and Declaration of Guardians.

Appointment by parents, where minor is European British subject; saving of power to appoint in other cases	Act 8, 1890,	ss. 5, 6.
Appointment or declaration by Court:		
Power of Court to make order; procedure	,,	ss. 7 to 14.
Court may appoint or declare two or more guardians	,,	s. 15.
Courts in other districts to give effect to order of Court appointing or declaring guardian	,,	s. 16.
Matters to be considered by Court in appointing or declaring guardian	,,	s. 17.
Appointment or declaration of Collector *ex officio*	,,	s. 18.
Saving of rights of Court of Wards, husbands and fathers	,,	s. 19.

2. Duties, Rights and Liabilities of Guardians.

(*a*) GENERALLY.

Fiduciary relation of guardian to ward	,,	s. 20.
Minor incompetent to act as guardian, except in certain cases	,,	s. 21.
Remuneration of guardian	,,	s. 22.
Control of Government over Collector as guardian	,,	s. 23.
Consent of guardian to marriage of ward. *See* MARRIAGE, I, 1 (*a*); II, A, 2; II, B, 2, II, E.		
Payment of income-tax by guardian. *See* INCOME-TAX, 3.		

(*b*) GUARDIAN OF THE PERSON.

His duties	,,	s. 24.
Court may order and enforce return of ward to guardian	,,	s. 25.
Residence of ward with another against will of guardian does not terminate guardianship	,,	s. 25(3).
Restriction on removal of ward from Court's jurisdiction by guardian	,,	s. 26.
Apprenticing of wards. *See* APPRENTICE.		
Guardianship of children of deceased husband in case of marriage of Hindu widow	Act 15, 1856,	s. 3.

(*c*) GUARDIAN OF PROPERTY.

His duties	Act 8, 1890,	s. 27.
His powers in regard to mortgaging, charging or transferring ward's property; orders of Court in reference thereto	,,	ss. 28 to 31.
Guardian appointed or declared by the Court:		
Power of Court to define, restrict or extend his powers	,,	s. 32.
His right to apply to Court for opinion in management of ward's property	,,	s. 33.
His obligations as to giving bond, delivering statement of property and debts, exhibiting accounts, paying balances into Court and maintenance, education, advancement, etc., of ward	,,	s. 34.
Suits against him	,,	ss. 35 to 37.

(*d*) TERMINATION OF GUARDIANSHIP.

Right of survivorship among joint guardians	,,	s. 38
Removal and discharge of guardian	,,	ss. 39, 40.

GUARDIAN AND WARD—*concld.*

2. Duties, Rights and Liabilities of Guardians—*contd.*

(*d*) TERMINATION OF GUARDIANSHIP—*contd.*

Cessation of guardian's authority	Act8,1890,s.41.	
Appointment of successor to guardian	,,	s.42.

3. Miscellaneous.

Order by Court for regulating conduct or proceedings of guardian appointed or declared by Court	,,	s.43.
Penalty on guardian appointed or declared by Court removing ward from jurisdiction	,,	s.44.
,, for contumacy	,,	s.45.
Reports to Court by Collectors and Subordinate Courts	,,	s.46.
Appeal to High Court from orders made under Act	,,	ss.47,48.
Costs of proceedings under Act	,,	s.49.
Power of High Court to make rules for carrying out purposes of Act	,,	s.50.
Applicability of Act to guardians appointed or declared by Court under former law	,,	s.51.

See also COURT OF WARDS ; LUNATIC.

GUJARAT TALUQDARS ACT, 1888. (*See* INCUMBERED ESTATES, II ; LAND-REVENUE, VII)	Bom.Act6,1888.
GUJARAT TALUQDARS (AMENDMENT) ACT, 1905. (*See* LAND-REVENUE, VII)	Bom.Act2,1905.

GUJARAT TALUQDARS. *See* LAND-REVENUE, VII, C.

GUNPOWDER. *See* EXPLOSIVE, 2.

HABEAS CORPUS ACT, 1862[1]	25-6V.c.20.
HABEAS CORPUS, writ of.	
Issue of, into British Possession having a Court of justice, restrained	25-6V.c.20.
Power of High Courts at Calcutta, Madras and Bombay to issue directions of the nature of	Act5,1898,s.491.
HACKNEY-CARRIAGE ACT, 1879	Act14,1879.
,, ,, ,, (CALCUTTA), 1891	Ben.Act2,1891.
,, ,, ,, (MADRAS), 1879	Mad.Act3,1879.

HACKNEY-CARRIAGE.

1879. Act 14 (Hackney-carriages, Ajmere, etc.)
,, Mad. Act 3 (Hackney-carriages, Madras Presidency).
1891. Ben. Act 2 (except ss. 46 to 52) (Hackney-carriages and Palanquins).
1898. Act 13, s. 4 (Laws, Burma).
1899. Ben. Act 3, s. 190 (Municipality, Calcutta).
1904. Ben. Act 2, s. 4 (*a*) (Public Parks).
,, Mad. Act 3, s. 157 (Municipality, Madras City).

GENERALLY.

I.—AJMERE, ASSAM, SAMBALPUR DISTRICT (BENGAL), BURMA, CENTRAL PROVINCES, COORG, NORTH-WEST FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES
II.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL
III.—MADRAS PRESIDENCY
IV.—BOMBAY PRESIDENCY

1. Preliminary.
2. Regulation.

[1] This short title was given by 59 & 60 Vict., c. 14.

HACKNEY-CARRIAGE—*contd.*

GENERALLY.

Restrictions on use of hackney-carriage by person suffering from infectious disease, and subsequent disinfection of carriage, in municipalities:

See MUNICIPALITY, VII, 6 (*m*); IX, 6 (*i*); XA, 6 (*l*); XIV, 6 (*n*); XV, 6 (*l*).

I.—AJMERE, ASSAM, SAMBALPUR DISTRICT (BENGAL), BURMA, CENTRAL PROVINCES, COORG, NORTH-WEST FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES.

1. Preliminary.

Act 14, 1879; provinces to which it may be applied		Act 14, 1879, s.3.
" " declared in force in Upper Burma except Shan States		Act 13, 1898, s.4, sch.1.
Definitions		Act 14, 1879, s.2 (am., Act 1, 1903).
Power of Local Government to apply Act to municipalities	"	s.3.

2. Regulation.

Power to make rules for regulation and control of hackney-carriages—		
in municipality	"	ss.3, 6.
in cantonment	"	ss.4, 6.
Power to extend such rules to railway-station, part of road, or cantonment not more than six miles from municipality or cantonment	"	s.5.
Penalty for breach of rules	"	s.7.
Fees and expenses to be credited and debited to Municipal Fund or Cantonment Fund	"	s.8.
Determination by Magistrate of dispute between hirer and owner or driver; hirer may require driver to take him to Court	"	ss.9, 10.

Control over hackney-carriages in Municipalities. *See* MUNICIPALITY.

II.—BENGAL (EXCEPT SAMBALAUR DISTRICT) AND EASTERN BENGAL.

1. Preliminary.

Ben. Act 2, 1891, applies to—		
Calcutta		Ben. Act 2, 1891, s.1(3).
towns and places to which Ben. Act 5, 1866, was extended by notification under s. 54 thereof	"	s.2(2).
Ben. Act 2, 1891, may be extended to other towns and places by notification	"	s.1(3).
When Act so extended, persons may be appointed to exercise functions of Commissioners and Chairman of Calcutta Municipality; consequential amendments in Act	"	s.61.
Power to alter limits of Calcutta; sanction of Governor General in Council required if area to be included is in cantonment	"	s.4.
Definitions	"	s.3.

HACKNEY-CARRIAGE—*contd.*

II.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

2. Regulation.

Registration, licensing and numbering of carriages; fee for license; penalties	Ben. Act 2, 1891, ss. 5 to 15.
Plate to be provided and kept in carriage; penalties	,, ss. 16 to 20.
Licensing of drivers; fee for license; driver's ticket; penalties	,, ss. 11, 21 to 30.
Fares, hiring and plying for hire; penalties	,, ss. 31 to 35, 39 to 41, 43, sch. I.
Fares when hackney carriage plies for hire as a stage carriage	,, s. 44.
Penalty on driver for drunkenness, misconduct, etc.	,, s. 36.
,, ,, neglecting to attend at premises of owner, so as to prevent owner from letting out carriage	,, s. 37.
Proceedings against owner when offence committed by driver	,, s. 38.
Determination, by Magistrate or Registering Officer, of dispute between hirer and driver; hirer may require driver to drive to Court or Registering Officer	,, s. 42.
Appointment and regulation of public stands	,, s. 45.
Making, confirmation and publication of bye-laws; penalty for breach of bye-law	,, ss. 53, 54.
Cognizance of offences; procedure; limitation; recovery of fines	,, ss. 55, 56.
Damage to property of Commissioners to be made good by convicted person	,, s. 57.
Compensation for groundless prosecution	,, s. 58.
Property left in hackney-carriage how to be dealt with	,, s. 59.
Fees and fines to be credited to Hackney-carriage Fund; application of fund	,, s. 60.
Power to make rules to regulate admission of hackney carriages into public parks	Ben. Act 2, 1904, s. 4(*a*).
Hackney carriage in Calcutta not to be registered unless municipal tax paid	Ben. Act 3, 1899, s. 190.

III.—MADRAS PRESIDENCY.

1. Preliminary.

Act applies to town of Madras, and may be extended to other towns and places by notification	Mad. Act 3, 1879, s. 1.
When Act so extended, person may be appointed to perform duties of Commissioner of Police	,, s. 50.
Definitions	,, s. 3.

2. Regulation.

Registration, licensing and numbering of carriages; fee for license; penalties	Mad. Act 3, 1879, ss. 4 to 15, 17.
Penalty for driving animal not properly secured	,, s. 16.
Licensing of drivers; fee for license; driver's badge; penalties	,, ss. 18 to 30.
Fares, hiring and plying for hire; penalties	,, ss. 31 to 37, 41 to 44.
Penalty on driver or attendant for drunkenness, misconduct, etc.	,, s. 38.
Proceedings against owner when offence committed by driver or attendant	,, s. 39.

HACKNEY-CARRIAGE—*concld.*

III.—MADRAS PRESIDENCY—*contd.*

2. Regulation—*contd.*

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Property left in carriage how to be dealt with	,, ss.46,47.
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IV.—BOMBAY PRESIDENCY.

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HARBOUR CRAFT, BOMBAY. *See* MERCHANT SHIPPING, 4.

HARBOURING OFFENDERS. *See* CRIMINAL LAW (INDIAN), 4, 5, 9.

HAZARA (UPPER TANAWAL) REGULATION, 1900. (*See* DEREGULATIONISED TRACT; UPPER TANAWAL) . . .	Reg.2,1900.
HAZARA FOREST REGULATION, 1893. (*See* FOREST) .	Reg.6,1893.
HAZARA SETTLEMENT RULES REPEAL REGULATION, 1901. (*See* FRONTIER, E)	Reg.6,1901.
HAZARA TENANCY REGULATION, 1887. (*See* LANDLORD AND TENANT, XI)	Reg.13,1887.
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HEREDITARY OFFICES (AMENDING BOMBAY ACT 3 OF 1874). (*See* VILLAGE)	Bom.Act5,1886.
HEREDITARY OFFICES ACT (BOMBAY). (*See* VILLAGE) .	Bom.Act3,1874.
,, VILLAGE-OFFICES ACT (MADRAS), 1895. (*See* VILLAGE)	Mad.Act3,1895.
HIGH COURTS ACT (INDIAN), 1861[1]	24-5V.c.104.
,, ,, ,, ,, 1865[1]	28-9V.c.15.

HIGH COURT.

1772-3. 13 G. 3, c. 63, ss. 13 to 15, 17 (Supreme Court, Bengal).

1780-1. 21 G. 3, c. 70 (Supreme Court, Bengal).

1792-3. 33 G. 3, c. 52, s. 156 (Admiralty jurisdiction).

1796-7. 37 G. 3, c. 142, ss. 2, 11 to 14, 27, 29 (Supreme Courts).

1799-1800. 39-40 G. 3, c. 79, ss. 2, 3, 5, 7 to 9, 20 (Supreme Courts).

1812. 53 G. 3, c. 155, s. 89 (Salaries).

1823. 4 G. 4, c. 71, ss. 7, 11, 17 (Supreme Courts, Bombay and Madras).

1825. 6 G. 4, c. 85, ss. 4, 5 (Salaries).

1828. 9 G. 4, c. 74, s. 25 (Admiralty jurisdiction).

1839. Act 24 (Ganjam and Vizagapatam).

1848. Act 15 (Officers).

1861. 24-5 V. c. 104 (Constitution, etc., of High Courts).

1865. 28-9 V. c. 15, ss. 3, 4, 6 (Territorial Jurisdiction).

[1] This short title was given by 59 & 60 Vict., c. 14.

HIGH COURT—*contd.*

1866. Act 23 (Letters Patent, Bombay).
1866. Act 25 (Unclaimed Deposits).
1867. Act 19, s. 2 (Jurisdiction in Darjeeling).
1869. Act 13 (Costs; petitions: Allahabad).
1870. Act 5 (Deposits).
1875. Act 10 (Repeal).
1876. 39-40 V. c. 46, s. 3 (Slave Trade; Evidence).
1877. Reg. 1, s. 38 (Ajmere).
1880. 43 Vict. c. 3 (Salaries).
1891. Act 16 (Admiralty jurisdiction).
1905. Act 7, s. 3 (Laws, Bengal and Assam).

Definitions of. *See* WORDS AND PHRASES.

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Establishment, constitution, jurisdiction, etc., of Supreme Court in Bengal . 13G.3,c.63,ss.13to15,17. 21G.3,c.70. 37G.3,c.142,s.2. 39-40G.3,c.79,s.20.
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" " " " " at Bombay . 37G.3,c.142,ss.11to14, 27,29. 4G.4,c.71,ss.7,17.
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Prohibition of trading, etc., by officers of . . . . . Act15,1848.
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Power of Crown to establish a High Court in part of territories not within jurisdiction of another High Court . . . 24-5V.c.104,s.16.
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HIGH COURT—*concld.*

High Courts of Judicature—*contd.*

Allahabad:

Power of, to award and apportion costs . . . . . Act13,1869,s.3.

Penalty for making false statement in support of petitions, etc. . . . . „ s.4.

Act 13, 1869, ss. 3, 4, repealed as to criminal matters . . Act10,1875.

Jurisdiction of, in Ajmere. *See* CIVIL COURTS, II, 2.

Bombay:

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Control by, over subordinate Courts. *See* CIVIL COURTS, VI, 2, 4.

Jurisdiction of, in Aden. *See* ADEN, 2.

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Calcutta:

Jurisdiction of, in Darjeeling . . . . . Act19,1867,s.2.

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Madras:

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For further provisions relating to the High Courts, see the appropriate heads.

HIGH-WATER MARK defined. *See* WORDS AND PHRASES.

HIGHWAY ACT (BOMBAY), 1883. (*See* TAXES) . . . Bom.Act1,1883.

HIGHWAY ACT (BURMA), 1907 . . . . . Bur.Act5,1907.

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Power to make rules for regulation of traffic on public roads and places . . . . . „ s.2.

Penalty for breach of rule; arrest without warrant . . . „ ss.3,4.

HINDU HEIRS' RELIEF ACT (BOMBAY), 1866 . . . . Bom.Act7,1866.

HINDU.

Definition of "debts" . . . . . Bom.Act7,1866,s.7.

Son or grandson not liable as such for debt of deceased Hindu . „ s.1.

Son, grandson or heirs liable for debt of deceased Hindu only as representative and only to extent of assets received . . „ s.2.

Marriage with Hindu widow does not create liability for debts of her deceased husband . . . . . „ s.4.

HINDU—*contd.*

Liability of member of undivided family for family-debts contracted during his minority . . . . . Bom. Act 7, 1863, s.5.

Liability of surviving member of undivided family for family debts . . . . . ,, s.6.

Marriage of certain Hindus in Malabar. *See* MARRIAGE, C.

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HINDU WIDOW.

Sati (burning or burying alive):

Ben. Reg. 17, 1829[1], declared in force—

throughout Agra, Bengal (except Sambalpur District), and Eastern Bengal except as regards the Scheduled Districts . . . . . Act 15, 1874, ss.6, 7.

in the Santhál Parganas . . . . . Reg. 3, 1872, s.3.

in Angul District . . . . . Reg. 1, 1894, s.3.

Mad. Reg. 1, 1830, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . . Act 15, 1874, s.4.

Sati declared illegal and punishable . . . . . Ben. Reg. 17, 1829, s.2. Mad. Reg. 1, 1830, s.2.

Persons abetting sati deemed guilty of culpable homicide; bail . . . . . Mad. Reg. 1, 1830, s.4(*2*), (*3*).

Mad. Reg. 1, 1830, not to preclude High Court from passing sentence of death in certain cases . . . . . ,, s.5.

Proprietors of land, farmers, agents, native officers and headmen of villages to give information to police of intended sati; penalty . . . . . Ben. Reg. 17, 1829, s.3(*1*). Mad. Reg. 1, 1830, s.3(*1*).

Police to endeavour to prevent sati, and to report to Magistrate . . . . . Ben. Reg. 17, 1829, s.3(*2*). Mad. Reg. 1, 1830, s.3(*2*).

,, enquire and report to Magistrate if sati takes place . . . . . Ben. Reg. 17, 1829, s.3(*3*). Mad. Reg. 1, 1830, s.3(*3*).

Magistrate how to proceed on receiving such reports . . . . ,, s.4(*1*).

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Marriage of:

Act 15, 1856, declared in force—

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Legalised; what forms required . . . . . Act 15, 1856, ss.1, 6.

Consent of nearest male relative when required to . . . . ,, s.7.

Rights of widow in deceased husband's property, to cease on . ,, s.2.

Guardianship of children of deceased husband on . . . . ,, s.3.

Act 15, 1856, not to render childless widow capable of inheriting . . . . . ,, s.4.

Saving of other rights of widow on marriage . . . . ,, s.5.

Marriage with Hindu widow does not create liability for debts of her deceased husband . . . . . Bom. Act 7, 1866, s.4.

HINDU WIDOWS' REMARRIAGE ACT, 1856. (*See* GUARDIAN AND WARD; HINDU WIDOW) . . . . . Act 15, 1856.

[1] Ben. Reg. 17, 1829, has been declared, by notification under the Scheduled Districts Act, 1874, to be in force in Assam, except the North Lushai Hills.

HINDU WILLS ACT, 1870. (*See* ADMINISTRATION OF ESTATES (INDIAN LAW); ADMINISTRATOR GENERAL; SUCCESSION) . . . Act21,1870.

HOLDING; definitions of. *See* WORDS AND PHRASES.

HOMICIDE. *See* CRIMINAL LAW (INDIAN), 14 (*a*); WORDS AND PHRASES.

HONORARY MUNSIFS ACT (UNITED PROVINCES), 1896. (*See* CIVIL COURTS, V, 1) . . . . . U.P.Act2,1896.

HOSPITAL.

Penalty for unlawfully introducing liquor or intoxicating drug into . . . . . (Bo.City)Bom.Act4,1902,s.115(*a*). (Cal.)Ben.Act4,1866,s.34. (M.City)Mad.Act3,1888,s.68.

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To be under authority of Local Self-government Boards:

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HOWRAH.

What places included in	Act21,1857,s.1,Sch.
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Power to extend Ben. Act 3, 1899, to town of Howrah or part thereof	Ben.Act3,1899,ss.640to642.

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HOWRAH BRIDGE ACT, 1871 . . . (*See* HOWRAH BRIDGE) . . . Ben.Act9,1871.
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HOWRAH BRIDGE.

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Power to levy fees on goods and passengers conveyed by railway into and from Howrah, to meet charges for construction and maintenance of; exemptions	Ben. Act 9, 1871, s.4.
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ILLUSORY APPOINTMENTS.

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IMPROVEMENT.

Of City of Bombay . . . . . Bom.Act4,1898.

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3. Rights, Powers and Duties of Board of Trustees.

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3. Rights, Powers and Duties of Board of Trustees—*contd.*

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Power of Government to declare principal place of business or residence	,,	s.47.
Powers exerciseable from time to time	,,	s.50.
Payment of income-tax absolves from liability to pay pandhari-tax in Central Provinces or capitation-tax or land-rate in lieu thereof in Lower Burma	,,	s.48.

INCUMBERED ESTATES ACT (BROACH AND KAIRA), 1877	Act14,1877.
,, ,, ,, ,, ,, ,, 1881	Act21,1881.
,, ,, ,, (CHOTA NAGPUR), 1876	Act6,1876.
,, ,, ,, (BUNDELKHAND), 1903	U.P.Act1,1903.
,, ,, ,, (SINDH), 1896	Act20,1896.
,, ,, ,, (AMENDMENT), 1906	Act2,1906.

INCUMBERED ESTATES.

1862. Bom. Act 6 (Ahmadabad Taluqdars).
1870. Act 24 (Oudh Taluqdars).
1872. Reg. 4 (Ajmere Taluqdars, Thakurs and Jagirdars).
1876. Act 6 (Chutia Nagpur Estates).
,, Act 10, s. 1 (Revenue Jurisdiction, Bombay).
1877. Act 14, ss. 39 to 41 (Ahmadabad Taluqdars; Broach and Kaira Thakurs).
1881. Act 21 (Broach and Kaira Thakurs etc.).
1885. Act 7 (Panch Mahals).
1888. Bom. Act 6, s. 34 (Ahmadabad Taluqdars).
1896. Act 20 (Sindh Jagirdars and Zamindars).
1903. U. P. Act 1 (Incumbered Estates, Bundelkhand).
,, U. P. Act 2, s. 16 (Alienation of land, Bundelkhand).

I.—AJMERE	CERTAIN TALUQDARS, THAKURS AND JAGIRDARS NAMED IN SCHEDULE TO REG. 4, 1872: 1. Preliminary. 2. Management and Liquidation. 3. Supplemental.
II.—AHMADABAD III.—BROACH AND KAIRA IV.—SINDH V.—OUDH	1. Preliminary. 2. Management and Liquidation. 3. Restoration to Owner. 4. Supplemental.
VI.—CHOTA NAGPUR	1. Management and Liquidation. 2. Restoration to Owner. 3. Supplemental.
VII.—BUNDELKHAND	1. Preliminary. 2. Liquidation. 3. Cessation of Disabilities imposed on Zamindar. 4. Supplemental.

I.—AJMERE.

CERTAIN TALUKDARS, THAKURS AND JAGIRDARS NAMED IN SCHEDULE TO REG. 4, 1872.

1. Preliminary.

Definitions		Reg.4,1872,s.1,Sch.

2. Management and Liquidation.

Application for benefit of Regulation	,,	ss.2,3.
Declaration of management, and effect thereof	,,	ss.4to6.
Claims to be called in; claimants to appear and establish claim; failure to appear in time	,,	ss.7to10.
Entry of debts in schedule; power to refuse to enter; power to refer claim to Court for investigation; appeal against refusal to enter debt in schedule; preparation and sanctioning of liquidation-scheme; scheme to provide for maintenance. Government dues, necessary expenses, ranking of debts and interest	,,	ss.11to17.
Power to remove mortgagee in possession	,,	s.18.
,, raise money by mortgage for settlement of debts	,,	s.19.
Appointment of Taluqdar, Thakur or Jagirdar to be manager of his property; appointment and powers of another manager if Taluqdar, etc., fails to observe conditions imposed on him; status of managers	,,	ss.20to25,33.
Disabilities of Taluqdar, etc., during period of management by Court	,,	s.26.

INCUMBERED ESTATES—*contd.*

I.—AJMERE—*contd.*

2. Management and Liquidation—*contd.*

Accounts	Reg.4,1872,s.27.	
Cancellation of documents on proof of claim	„	s.28.

3. Supplemental.

Power to make rules	„	s.32.
Investigations by Commissioner deemed "judicial proceedings"; his power to summon witnesses, etc.; and administer oath or affirmation	„	ss.29to31.
Bar of suits and proceedings for acts done in good faith	„	s.34.

II.—AHMADABAD (TALUQDARS).

1. Preliminary.

Definition	Bom.Act6,1862,s.21.	

2. Management and Liquidation.

Declaration of management and appointment of manager	Bom.Act6,1862,ss.1,17.	
Status of manager	Act14,1877,ss.40,41.	
No new declaration to be made under Bom. Act 6, 1862, s. 1, after 25th September 1889	Bom.Act6,1888,s.34.	
Effect of declaration of management	Bom.Act6,1862,ss.2,4,5.	
General powers and duties of manager in management of estate	„	ss.7,15.
Claims to be called in; effect of failure to notify claim in time	„	ss.8,9.
Liquidation-scheme; preparation and approval of	„	s.10.
Power to remove mortgagee in possession	„	s.3.
„ authorise raising of fund for settlement of debts	„	s.11.
Taluqdar not competent to charge or alienate estate during management	„	s.12.
Civil Courts to give up writs, decrees, etc., when required	„	s.13.

3. Restoration to Owner.

Management limited to twenty years; on expiration of management, claims, etc., to be considered settled	„	s.16.
Proprietorship of taluqdar after termination of management	„	s.20.

4. Supplemental.

Power to make rules	„	s.6.
„ of manager to summon witnesses, etc.	„	s.14.
Powers for enforcing payment of fines	„	s.18.
Saving of jurisdiction of Courts in cases of succession, etc.; bar of suits for acts done in good faith	„	s.19.
Bom. Act 6, 1882, not affected by Bombay Revenue Jurisdiction Act, 1876	Act10,1876,s.1.	
Validation of Bom. Act 6, 1862, so far as it affects the Bombay High Court	Act14,1877,s.39.	

INCUMBERED ESTATES—*contd.*

III.—BROACH AND KAIRA (THAKURS, ETC.).

1. Preliminary.

Definitions	Act21,1881,ss.3,8,17.	
Act 21, 1881, declared not to be in force in the Panch Mahals	Act7,1885.	

2. Management and Liquidation.

Application for benefit of Act; preliminary enquiry thereon; verified statement of debts, etc.	Act21,1881,ss.4to7.	
Appointment, suspension, removal and status of manager	Act14,1877,ss.40,41. Act21,1881,ss.7,32,33.	
Order of management, and effect thereof	,,	ss.8,9,38.
General powers and duties of manager in management of estate	,,	ss.10,11.
Claims to be called in and examined; ranking of debts and fixing of interest	,,	ss.12to16.
Liquidation-scheme: preparation and sanctioning of; effect of	,,	ss.17,18,20.
Power to relinquish management before sanctioning liquidati scheme	,,	s.19.
Power to remove mortgagee in possession, to enquire into consideration given for lease, to demise property and to raise money on property	,,	ss.21to24
Continuance of management after death of owner	,,	s.27
Manager's receipts	,,	s.25

3. Restoration to Owner.

Termination of management and restoration to owner	,,	s.26.
Mortgages, etc., made by restored Thakur to be valid for his life only	,,	ss.28,38.

4. Supplemental.

Appeal and revision	,,	ss.29,30.
Power to make rules	,,	s.31.
Investigations by manager deemed "judicial proceedings"; his power to summon witnesses, etc.	,,	ss.34,35.
Bar of suits and proceedings for acts done in good faith	,,	s.36.
Saving of jurisdiction of Courts in cases of succession	,,	s.37.
Exemption of certain Thakurs from provisions of ss. 9 and 28 of Act	,,	s.38.

IV.—SINDH (JAGIRDARS AND ZAMINDARS).

1. Preliminary.

Application for benefit of Act 20, 1896, may be made at any time after passing of Act	Act20,1896,s.3.	
Definitions	,,	s.2.

2. Management and Liquidation.

Application for benefit of Act; preliminary enquiry thereon; interim order of protection; verified statement of debts, etc.; appointment, suspension, removal and status of manager	Act20,1896.ss.3to7,34,35.	
Order of management, and effect thereof	Act20,1896,ss.7to9	

INCUMBERED ESTATES—*contd.*

IV.—SINDH (JAGIRDARS AND ZAMINDARS)—*contd.*

2. Management and Liquidation—*contd.*

General powers and duties of manager in management of estate	Act20,1896,	ss.10,11.
Claims to be called in and examined; ranking of debts and fixing of interest	,,	ss.12to16.
Liquidation-scheme; preparation and sanctioning of; effect of	,,	ss.17,18,20.
,, ,, power to revise and modify	,,	s.30.
Power to relinquish management before sanctioning liquidation-scheme	,,	s.19.
Power to remove mortgagee, etc., in possession, to enquire into consideration given for lease, to demise property, and to raise money on property	,,	ss.21to24.
Separation of part of jagir lands subject to lapse	,,	s.25.
Continuance of management after death of owner	,,	s.28.
Manager's receipts	,,	s.26.

3. Restoration to Owner.

Termination of management, and restoration to owner	,,	s.27.
Mortgages, etc., made by restored Jagirdar or Zamindar to be valid for his life only	,,	s.29.

4. Supplemental.

Appeal and revision	,,	ss.31,32.
Power to make rules	,,	s.33.
Investigations by manager deemed "judicial proceedings"; his power to summon witnesses, etc.	,,	ss.36,37.
Bar to suits and proceedings for acts done in good faith	,,	s.38.
Saving of jurisdiction of Courts in cases of succession	,,	s.39.

V.—OUDH (TALUQDARS).

1. Preliminary.

Definitions	Act24,1870,	s.2.

2. Management and Liquidation.

Application for benefit of Act; appointment and status of manager	,,	ss.3,21,22.
Order of management, and effect thereof	,,	ss.3,4.
General powers and duties of manager	,,	s.5.
Claims to be called in and debts determined; appeal	,,	ss.6to10,13.
Liquidation-scheme; preparation and approval of	,,	s.11.
Manager to have powers of Taluqdar	,,	s.17.
Power to remove mortgagee in possession, to demise property and to raise money on property; manager's receipts	,,	ss.17to19.

3. Restoration to Owner.

Restoration of estate to owner when debts discharged	,,	s.12.
Restoration of estate to owner without discharge of debts; revival of stayed proceedings, barred debts, etc., and re-instatement of dispossessed mortgagee	,,	s.12.

INCUMBERED ESTATES—*contd.*

V.—OUDH (TALUKDARS)—*contd.*

4. Supplemental.

Power to make rules	Act24,1870,s.20.
Investigations by manager deemed "judicial proceedings"; his power to summon witnesses, etc., and administer oath	,, ss.14to16.
Bar of suits and proceedings for acts done in good faith	,, s.23.
Saving of jurisdiction of Courts in cases of succession, etc.	,, s.25.
Petitions, etc., exempted from court-fees	,, s.24.

VI.—CHOTA NAGPUR.

1. Management and Liquidation.

Application for benefit of Act; appointment and status of manager	Act6,1876,ss.2(am.Ben. Act3,1909,s.2),2A (ins.Ben.Act3, 1909,s.3),ss.20,21.
Order of management, and effect thereof	,, ss.2,3(am.Ben. Act3,1909,ss. 2,4).
General duties of manager	,, s.4(am.Ben. Act3,1909,s.5).
Claims to be called in and debts determined; appeal	,, ss.5to7(am. Ben.Act3, 1909,,ss.6,7, 8,10,13).
Power to inquire into consideration given for leases	,, ss.9,10(am.Ben. Act3,1909, ss.8,9).
Power of Commissioner to review order under ss. 6, 7, 8, 9 or 10	,, s.10A(ins.Ben. Act3,1909, s.10).
Liquidation-scheme; preparation and approval of	,, s.11.
Manager to have powers of holder of property	,, s.16
Power to remove mortgagee, etc., in possession, to demise property, and to raise money on property; manager's receipts	,, ss.16to17,18, 18A,18B(sub Ben.Act3,1909, s.14).
Suit, etc., by or against holder during period of management to be brought or continued by or against manager	,, s.21B(ins.Ben. Act3,1909, s.16).

2. Restoration to Owner.

Restoration of property to owner when debts discharged or approved arrangement made for their discharge; disability of owner to alienate or charge property after such restoration. Restoration of property to owner without discharge of debts; revival of stayed proceedings, barred debts, etc., and re-instatement of dispossessed mortgagee	,, s.12(am.Ben. Act3,1909,s.11), 12A(ins.Ben. Act3,1909, s.12).

3. Supplemental.

Power to make rules	Act6,1876,s.19.

INCUMBERED ESTATES—*contd.*

VI.—CHOTA NAGPUR—*contd.*

3. Supplemental—*contd.*

Investigations by manager deemed "judicial proceedings"; his power to summon witnesses, order subordinate tenure-holders to produce their title, etc.	Act6,1876,ss.14,14A(ins. Ben.Act3,1909, s.13),15.
Power of manager to make orders for education of children of holder	,, s.19A(ins.Ben. Act3,1909, s.15).
Recovery of fines	,, s.19B(ins.Ben. Act3,1909, s.15).
Control by Board of Revenue	,, s.21A(ins.Ben. Act3,1909, s.16).
Bar of suits and proceedings for acts done in good faith	,, s.22.
Saving of jurisdiction of Courts in cases of succession, etc.	,, s.23(am.Ben. Act3,1909, s.17),

VII.—BUNDELKHAND.

1. Preliminary.

U. P. Act 1, 1903, extends and to apply on notification to Banda, Hamirpur, Jhansi and Jalaun Districts and to Meja, Bara and Karchana Subdivisions of Allahabad District	U.P.Act1,1903,ss.1,3.
Definitions	,, s.2.

2. Liquidation.

Appointment, etc., duties, powers and status of Special Judge	,, ss.4,33.
Application for benefit of Act; preliminary enquiry thereon; verified statement of debts, etc.	,, ss.6to8.
Claims to be called in; on publication of notice calling in claims proceedings in Civil and Revenue Courts stayed and zamindar subjected to disabilities	,, ss.9,10.
Private debt incurred during disability; land owned by proprietor during disability not liable for	,, s.29.
Particulars of claims, production of documents; claims not notified deemed to be discharged	,, ss.11,12.
Enquiry into claims; mode of taking account; rate of interest to be allowed in taking account	,, ss.13to15.
Payment of claimants, if zamindar pays claims determined to be due	,, s.16.
Ranking of debts and fixing of future interest, if zamindar does not pay claims determined to be due and claims cannot be paid by sale of property	,, s.17.
Power to eject mortgagees, etc., in possession	,, s.18.
Report to Commissioner	,, ss.16,19.
Sale of property; raising of loan on zamindar's proprietary rights; purchase of such rights by Government; attachment and management of such rights; disposal of sale-proceeds	,, ss.20 to27.
Continuance of proceedings after death of zamindar	,, s.32.
Provisions not affected by U. P. Act 2, 1903, s. 16	U.P.Act 2,1903 s.16.

INCUMBERED ESTATES—*concld.*

VII.—BUNDELKHAND—*contd.*

3. Cessation of Disabilities imposed on Zamindar.

Commissioner when to declare that zamindar has ceased to be subject to disabilities imposed by s. 10 (2) of Act	U.P.Act1,1903,s.28.

4. Supplemental.

Power of Local Government to authorise any officer to perform duties of Commissioner of Allahabad Division	,,	s.5.
Appeal and revision	,,	ss.30,31.
Investigations by Special Judge deemed "judicial proceedings"; his power to summon witnesses, etc.	,,	ss.33,34.
Bar of suits and proceedings for acts done in good faith	,,	s.35.
Power to make rules	,,	s.36.

INDEMNITY.

Contracts, of. *See* CONTRACT, 5 (*b*).

INDIA defined. *See* WORDS AND PHRASES.

INDIA MILITARY FUNDS ACT, 1866. [1] (*See* INDIAN MILITARY AND NAVAL FORCES, I)	29-30V.c.18.
INDIA (NORTH-WESTERN PROVINCES) ACT, 1835. [1] (*See* GOVERNMENT OF INDIA)	5-6W.4,c.52.
INDIA OFFICE AUDITOR ACT, 1881. (*See* FINANCE, GOVERNMENT OF INDIA; PENSION)	44-5V.c.63.
,, ,, (SALE OF SUPERFLUOUS LAND) ACT, 1881	44-5V.c.7.
,, ,, SITE AND APPROACHES ACT, 1865	28-9V.c.32.
INDIA OFFICE.	
Site of	27-8V.c.51. 28-9V.c.32.
Sale of superfluous land	44V.c.7.
See also GOVERNMENT OF INDIA, 2 (*a*).	
INDIA OFFICER'S SALARIES ACT, 1837. [1] (*See* GOVERNMENT OF INDIA)	7W.4&1V.c.47.
INDIA STOCK DIVIDENDS ACT, 1871. [1] (*See* FINANCE)	34-5V.c.29.
,, ,, (POWERS-OF-ATTORNEY) ACT, 1880. (*See* FINANCE)	43V.c.11.
,, ,, TRANSFER ACT, 1862. [1] (*See* FINANCE)	25-6V.c.7.
INDIAN ARBITRATION ACT, 1899. [*See* ARBITRATION; COMPANY, 2(*d*)]	Act9,1899.
INDIAN ARMS ACT, 1878. (*See* ARMS, AMMUNITION, ETC.; CENSUS; CUSTOMS (INLAND); FRONTIER; PUBLIC OFFICER; VOLUNTEER)	Act11,1878.
INDIAN BILLS OF LADING ACT, 1856. (*See* BILL OF LADING)	Act9,1856.
INDIAN BISHOPS ACT, 1842, 1871 (*See* BISHOPS AND CLERGY)	5-6V.c.119. 34-5V.c.62.
INDIAN BISHOPS AND COURTS ACT, 1823. (*See* BISHOPS AND CLERGY; HIGH COURT)	4G.4,c.71.
INDIAN CENSUS ACT, 1910. (*See* CENSUS)	Act16,1910.
INDIAN CHRISTIAN MARRIAGE ACT, 1872. (*See* MARRIAGE, II; MINORITY)	Act15,1872.

[1] This short title was given by 59 & 60 Vict., c. 14.

INDIAN CHRISTIAN MARRIAGE ACT, 1872 (AMENDMENT) ACT, 1891. (*See* MARRIAGE, II)	Act2,1891.
INDIAN ARMY PENSION DEFICIENCY ACT, 1885. (*See* (INDIAN MILITARY AND NAVAL FORCES, I)	48-9V.c.67.
INDIAN ARTICLES OF WAR. (*See* CANTONMENT; CAPITAL PUNISHMENT; INDIAN MILITARY AND NAVAL FORCES; INDIAN RESERVE FORCES)	[1]Act5,1869.
INDIAN CIVIL SERVICE ACT, 1861. [2] [*See* GOVERNMENT OF INDIA, 2 (*d*)]	24-5V.c.54.
INDIAN CIVIL SERVICE (BENGAL) LOANS PROHIBITION REGULATION, 1793.[3] [*See* GOVERNMENT OF INDIA, 2 (*d*)]	Ben.Reg.38,1793.
INDIAN CIVIL SERVICE (BENGAL) LOANS PROHIBITION REGULATION, 1823.[3] [*See* GOVERNMENT OF INDIA, 2 (*d*)]	Ben.Reg.7,1823.
INDIAN CIVIL SERVICE (MADRAS), LOANS PROHIBITION REGULATION, 1802. [*See* GOVERNMENT OF INDIA, 2(*d*)]	Mad.Reg.19,1802.
INDIAN COASTING TRADE ACT, 1850. (*See* COASTING TRADE; GOVERNMENT OF INDIA; MERCHANT SHIPPING)	Act5,1850.
INDIAN COINAGE ACT, 1906. (*See* COINAGE, II)	Act3,1906.
INDIAN COMPANIES ACT, 1882. (*See* ADMINISTRATOR GENERAL; ARBITRATION; COMPANY; OATH AND AFFIRMATION; PARTNERSHIP)	Act6,1882.
INDIAN COMPANIES ACT AMENDMENT ACT, 1887.	Act6,1887.
INDIAN COMPANIES AMENDMENT ACT, 1910.	Act4,1910.
INDIAN COMPANIES (BRANCH REGISTERS) ACT, 1900. (*See* COMPANY)	Act4,1900.
INDIAN COMPANIES (MEMORANDUM OF ASSOCIATION) ACT, 1895. (*See* COMPANY)	Act12,1895.
INDIAN CONTRACT ACT, 1872. (*See* AGENCY; CONTRACT; GAMING; LIEN; LUNATIC, 5; MINOR; PARTNERSHIP; WAGER; WARRANTY)	Act9,1872.
INDIAN CONTRACT ACT AMENDMENT ACT, 1886	Act4,1886.
,, ,, ,, ,, ,, 1899	Act7,1899.
INDIAN COPYRIGHT ACT, 1847. (*See* COPYRIGHT)	Act20,1847.
INDIAN COUNCILS ACT, 1861. (*See* GOVERNMENT OF INDIA; ORDINANCES; PROVINCE)	24-25V.c.67.
,, ,, ,, 1869. (*See* GOVERNMENT OF INDIA)	32-33V.c.98.
,, ,, ,, 1871. (*See* EUROPEAN BRITISH SUBJECT; GOVERNMENT OF INDIA; JUSTICE OF THE PEACE)	34-35V.c.34.
,, ,, ,, 1874. (*See* GOVERNMENT OF INDIA)	37-38V.c.91.
,, ,, ,, 1892. (*See* EUROPEAN BRITISH SUBJECT; GOVERNMENT OF INDIA)	55-6V.c.14.
,, ,, ,, 1904. (*See* GOVERNMENT OF INDIA)	4Edw.7,c.26.
,, ,, ,, 1909. (*See* GOVERNMENT OF INDIA)	9Edw.7,c.4.

[1] Act 5, 1869 (with all amending Acts) and Act 5, 1875, will be repealed on the coming into force of Act 8, 1911.
[2] This short title was given by 59 and 60 Vict., c. 14.
[3] This short title was given by Act 5, 1897, s. 4.

INDIAN CRIMINAL LAW AMENDMENT ACT, 1886 . .	Act10,1886.
„ „ „ „ „ 1891 . .	Act10,1891.
„ „ „ „ „ 1894 . .	Act3,1894.
„ „ „ „ „ 1895 . .	Act3,1895.
„ „ „ „ „ 1908. [*See* CRIMINAL LAW (INDIAN); CRIMINAL PROCEDURE (INDIAN); EVIDENCE, II; EXPLOSIVE; LEGAL PRACTITIONER; SOCIETY]	Act14,1908.
INDIAN DIVORCE ACT. (*See* MATRIMONIAL CAUSES A; LUNATIC, 5; MINOR; MINORITY)	Act4,1869.
INDIAN EASEMENT ACT, 1882. (*See* EASEMENT; LICENSE)	Act5,1882.
INDIAN ELECTRICITY ACT, 1910. [*See* ARBITRATION; CIVIL PROCEDURE; CRIMINAL LAW (INDIAN); ELECTRICITY; FACTORY; INSOLVENCY; LAND (INDIAN LAW); MINES; RAILWAY; TELEGRAPH]	Act9,1910.
INDIAN EMIGRATION ACT, 1908. (*See* CONTRACT; EMIGRATION)	Act17,1908.
„ „ (AMENDMENT) ACT, 1910 . .	Act14,1910.
INDIAN EVIDENCE ACT, 1872. (*See* EVIDENCE, II) . .	Act1,1872.
„ „ „ AMENDMENT ACT . . .	Act18,1872.
„ „ „ (1872) AMENDMENT ACT, 1887	Act3,1887.
„ „ „ (1872) AMENDMENT ACT, 1891	Act3,1891.
„ „ „ 1899	Act5,1899.
INDIAN EXPLOSIVES ACT, 1884. [*See* ARMS, ETC.; EXPLOSIVE]	Act4,1884.
INDIAN EXTRADITION ACT, 1903. (*See* CRIMINAL PROCEDURE (INDIAN); EVIDENCE, II; EXTRADITION; FUGITIVE OFFENDER)	Act15,1903.
[1] INDIAN FACTORIES ACT, {1881, 1891} (*See* FACTORY) . .	Act15,1881. Act11,1891.
INDIAN FATAL ACCIDENTS ACT, 1855. (*See* DEATH; TORTS)	Act13,1855.
INDIAN FISHERIES ACT, 1897. (*See* FISHERY) . . .	Act4,1897.
INDIAN FOREIGN MARRIAGE ACT, 1903. (*See* MARRIAGE, II)	Act14,1903.
INDIAN FOREST ACT, 1878. (*See* FOREST)	Act7,1878.
„ „ (AMENDMENT) ACT, 1901 . . .	Act5,1901.
INDIAN GUARANTEED RAILWAYS ACT, 1879. (*See* RAILWAY)	42-43V.c.41.
INDIAN HIGH COURTS ACT, 1861. (*See* COURT-FEES, 2; GOVERNMENT OF INDIA; HIGH COURT; JUDICIAL COMMITTEE) . . .	24-25V.c.104.
„ „ „ „ 1865. (*See* GOVERNMENT OF INDIA; HIGH COURT) . .	28-29V.c.15.
INDIAN INCOME TAX ACT; 1886. (*See* CAPITATION TAX, ETC.; INCOME TAX; LAND REVENUE, IX; LOCAL AUTHORITY) . .	Act2,1886.
„ „ „ (AMENDMENT) ACT, 1903 . .	Act11,1903.
INDIAN INSOLVENCY RULES ACT, 1898	Act10,1898.
INDIAN LAW REPORTS ACT, 1875. (*See* LAW REPORTS) .	Act18,1875.

[1] These Acts will be repealed on 1st July 1912 on the coming into force of Act 12, 1911.

INDIAN LIMITATION ACT, 1908. (*See* CONTRACT; EASEMENT; LIMITATION OF TIME; LUNATIC, 5; MATRIMONIAL CAUSES, A,3; MINORITY; TRUST). . . . . Act9,1908.

INDIAN LUNATIC ASYLUMS ACT, 1858. (*See* LUNATIC) . Act36,1858.

INDIAN LUNATIC ASYLUMS ACT, 1858 (AMENDMENT) ACT, {1886, 1889} . . . . . Act18,1886. Act20,1889.

INDIAN LUNATIC ASYLUMS (AMENDMENT) ACT, 1909. (*See* LUNATIC) . . . . . Ben.Act1,1909.

INDIAN MAJORITY ACT, 1875. (*See* MINORITY) . . . Act9,1875.

INDIAN MARINE ACT, 1887. (*See* EVIDENCE II; ROYAL INDIAN MARINE) . . . . . Act14,1887.

INDIAN MARINE ACT (1887) AMENDMENT, ACT {1888, 1899} . Act17,1888. Act1,1899.

" " SERVICE ACT, 1884. (*See* ROYAL INDIAN MARINE) . . . . . 47-8V,c.38.

INDIAN MERCHANDISE MARKS ACT, 1889. *See* FACTORY; MERCHANDISE MARKS; WARRANTY) . . . . . Act4,1889.

INDIAN MERCHANDISE MARKS AND SEA CUSTOMS ACTS AMENDMENT ACT, 1891 . . . . . Act9,1891.

INDIAN MERCHANT SEAMEN'S ACT, 1876. (*See* MERCHANT SHIPPING) . . . . . Act13,1876.

INDIAN MERCHANT SHIPPING ACT, 1859. (*See* DEBT; MARRIAGE, II; MERCHANT SHIPPING; WEIGHTS AND MEASURES) . . . . . Act1,1859.

INDIAN MERCHANT SHIPPING ACT, 1880. (*See* MERCHANT SHIPPING) . . . . . Act7,1880.

INDIAN MERCHANT SHIPPING ACT, 1883. (*See* MERCHANT SHIPPING) . . . . . Act5,1883.

INDIAN MERCHANT SHIPPING ACT (AMENDMENT) ACT, 1906 . . . . . Act6,1906.

INDIAN MERCHANT SHIPPING ACT (AMENDMENT) ACT, 1908 . . . . . Act18,1908.

INDIAN MERCHANT SHIPPING LAW AMENDMENT ACT, 1891. (*See* MERCHANT SHIPPING) . . . . . Act6, 1891.

INDIAN MILITARY AND NAVAL FORCES.

1772-3. 13 G. 3, c. 63, s. 24 (Accepting gifts).

1792-3. 33 G. 3, c. 52, ss. 25, 35 to 37, 42, 43, 65, 70 (Vacancies; declaring war, etc.).

1812-13. 53 G. 3, c. 155, ss. 84, 96 (Articles of War, etc.).

1817. Mad. Reg. 8, s. 9 (Recovery of revenue due by native officers or soldiers).

1826. 7 G. 4, c. 56 (Salaries).

1833. 3-4 W. 4, c. 85, ss. 71, 73, 74, 75, 78 to 80 (Vacancies; Articles of War; Salaries, etc.).

1852-3. 16-7 V. c. 95, ss. 32, 35 (Leave; Salaries).

1857-8. 21-2 V. c. 106, ss. 30, 33 to 37, 38, 54 to 58, 64 (Appointments; War, etc.).

1860. 23-4 V. c. 100 (Army).

1866. 29-30 V. c. 18, s. 2(Military Fund Transfer).

" Ben. Act 4, s. 33 (Introducing liquor, etc., into barracks, etc., Calcutta).

1868. 31-2 V. c. 38 (Prize Money).

1869. Act 5 (Indian Articles of War).[1]

[1] Act 5,1869 (with all amending Acts) and Act 5,1875, will be repealed on the coming into force of Act 8, 1911.

INDIAN MILITARY AND NAVAL FORCES—*contd.*

1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1873. Act 10, s. 3 (Oaths).
1874. 37-8 V. c. 61 (Compensation).
,, Act 15, s. 4 (Laws Local Extent).
,, Reg. 9, s. 3 (Laws, Arakan Hills).
1875. Act 5 (Unattested Sepoys).[1]
1880. 43 V. c. 3 (Salaries).
1881. 44-5 V. c. 57, s. 55 (Pensions).
,, 44-5 V. c. 58 (Army).
1882. 45-6 V. c. 7, s. 4 (*6*) (Army).
1884-5. 48-9 V. c. 67 (Army Pensions Deficiency).
1888. Mad. Act 3, s. 67, (Introducing liquor, etc., into barracks, etc., Madras City).
1890. 53-4 V. c. 4, ss. 7, 9 (*1*) (Army).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1893. 56-7 V. c. 62 (Abolition of Provincial Commanders-in-Chief).
1894. Reg. 1, s. 3 (Laws, Angul).
1895. 58-9 V. c. 7, s. 7 (Army).
1896. 59-60 V. c. 2, s. 4 (Army).
1898. Act 5, ss. 54 (*1*) (*6*), 549 (Cr. Procedure).
,, Act 13, s. 4 (Laws, Burma).
1902. Bur. Act 4, ss. 33 (*f*), 115 (*b*) (Introducing liquor, etc., into barracks, etc., Bombay City).
1907. 7 Edw. 7, c. 2 (Army).
1908. Act 5, s. 60 (*1*) (*j*) (Civil Procedure).
1909. 9 Edw. 7, c. 3 (Army).
,, Act 3, s. 60 (*1*) (Insolvency).

I.—GENERALLY . . . . . .
II.—UNDER ARMY ACT OF 1881 . . .
III.—UNDER INDIAN ARTICLES OF WAR { 1. Preliminary. 2. Enrolment and Service. 3. Discipline and Regulation. 4. Miscellaneous.

I.—GENERALLY.

Provisions as to military and naval forces of East India Company before transfer of Government to Crown . . . . . 13G.3,c.63,s.24. 13G.3,c.52,ss.25,35to37, 65,70. 53G.3,c.155,s.84. 7G.4,c.56. 3-4W.4,c.85,ss.71,74,75, 78to80. 16-7V.c.95,ss.32,35.
Transfer of forces of East India Company to Crown . . . . 21-2V.c.106,ss.30,37,38, 56to58,64.
Abolition of provincial commanderships . . . . . 56-7V.c.62. 59-60V.c.2,s.4.
Appointments to cadetships . . . . . 21-2V.c.106,ss.33to37.
Discontinuance of separate European forces . . . . . 23-4V.c.100.
Power to make articles of war for native troops . . . . 53G.3,c.155,s.96. 3-4W.4,c.85,s.73. 44-5V.c.58,s.180(2).
Regulations as to declaring war . . . . . 33G.3,c.52,ss.42,43.
Communication to Parliament of order for hostilities . . 21-2V.c.106,s.54.
Restriction on applying Indian revenues for operations beyond frontier . . . . . ,, s.55.
Preservation of rights of subscribers to certain military funds on transfer thereof to Secretary of State in Council . . . 29-30V.c.18,s.2.
Compensation on retirement to officers serving in certain regiments and ordnance corps on Nov. 1, 1871 . . . . . 37-8V.c.61.
Pensions of soldiers transferred from Indian forces . . . 44-5V.c.57,s.55.

[1] Act 5, 1875, will be repealed on the coming into force of Act 8, 1911.

INDIAN MILITARY AND NAVAL FORCES—*contd.*

I.—GENERALLY—*contd.*

Unclaimed shares of prize bounty and salvage money payable to Indian military or naval forces; provisions as to	31-2V.c.38.
Appropriation of pay or other income of officer of Army, Navy or Indian Marine Service becoming insolvent	Act3,1909,s.60(1).
Equipment and voyage allowances of Commander-in-Chief of the Forces	43V.c.3.
Indian Army Pension Deficiency fund; establishment, application, and management of	48-9V.c.67.
Registration of proprietors of revenue-paying estates who are native officers or soldiers; arrears of revenue due in respect of such estates how to be recovered	Mad.Reg.8,1817,s.9,App., Form5.
Mad. Reg. 8, 1817, s. 9, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act15,1874,s.4.
Delivery by Magistrate to military authorities of persons liable to be tried by Court-martial	Act5,1898,s.549.
Penalty for unlawfully introducing into barracks, etc., or British vessel of war, liquor or intoxicating drug	(Bo.City)Bom.Act4,1902, s.115(*b*). (Cal.)Ben.Act4,1866,s.33. (M.City)Mad.Act3,1888, s.67.

Disposal of effects of officer or soldier dying in India. *See* ARMY, 6 (c) (2).

Prize money for service in India. *See* ARMY, 6 (c).

Impressment of carriages, supplies, etc. *See* MARCHING TROOPS.

Reserve Forces. *See* INDIAN RESERVE FORCES.

Exemption from municipal taxes. *See* MUNICIPALITY, I.

" " tolls on ferries. *See* TOLLS; FERRY.

Procedure in suits by or against military men. *See* CIVIL PROCEDURE, 4.

See also ADMINISTRATOR GENERAL, 3; LUNATIC, 4, 5.

Naval Forces. *See also* ROYAL INDIAN MARINE.

II.—UNDER ARMY ACT OF 1881 (*see also* ARMY).

Modification of Act with respect to Her Majesty's forces serving in India	44-5V.c.58,s.180(*1*).
" " " " Her Majesty's Indian forces; saving of Indian military law	" s.180(*2*). 58-9V.c.7,s.7. 7Edw.7,c.2,s.7.
Definition of "India", "native of India", "Governor General," etc.; for purposes of Army Act of 1881	44-5V.c.58,s.190. 53-4V.c.4,s.9(*1*).
Indian forces included in "regular forces" under Army Act of 1881	44-5V.c.58,s.190(*3*).
Application of military law to persons accompanying troops on active service and to officers in Indian army reserve	" ss.175(7),176(*10*). 45-6V.c.7,s.4(6). 53-4V.c.4,s.7.
Application to volunteers, militia, and other forces raised in India of Indian laws, and of military law when serving with regular troops	44-5V.c.58,s.177. 9Edw.7,c.3,ss.8(3),9.
Provisions as to enlistment not to apply to Indian forces enlistment for medical or special service	44-5V.c.58,s.180(*2*)(*h*).

INDIAN MILITARY AND NAVAL FORCES—*contd.*

II.—UNDER ARMY ACT OF 1881 (*see also* ARMY)—*contd.*

Persons authorised in India to exercise powers of justice in relation to enlistment	44-5V.c.58,s.94.
Powers of Governor General for convening and confirming findings of Courts-martial	,, ss.122,123.
Courts-martial not subject to Indian Evidence Act, 1872	,, s.127.
Confirmation of sentences of death or penal servitude for civil offences	,, s.54(*8*),(*9*). 56-7V.c.62.
Execution, commutation, etc., of sentences	44-5V.c.58,ss.57,58,60to63,65to68. 56-7V.c.62. 7Edw.7,c.2,s.9(*1*),Sch.3.
Provisions as to prisoners becoming insane	44-5V.c.58,s.130(*5*). 7Edw.7,c.2,s.9(*1*), Sch.3.
,, as to prisons, reception of prisoners, etc.	44-5V.c.58,ss.131to134. 7Edw.7,c.2,s.9(*1*), Sch.3.
Establishment and regulation of military prisons	44-5V.c.58,s.133.
Prosecution of offences; recovery and application of penalties; reduction of penalties by Governor General in Council	,, ss.156(*8*),166, 168,169,180(*3*), 190(*30*),(*33*),(*35*).
Complaint by officer of Indian forces for redress of wrongs	,, s.180(*2*)(*d*). 58-9V.c.7,s.7(*2*).
Reduction, etc., of warrant officer	44-5V.c.58,s.180(*2*)(*f*). 58-9V.c.7,s.7(*3*).
Application to hospital apprentices of provisions relating to warrant officers	44-5V.c.58,s.180(*2*)(*g*).
Commander-in-Chief:	
Power of, to reduce non-commissioned officer, and dismiss army schoolmaster	,, s.183.
,, on confession by soldier of desertion, etc.	,, s.73.
,, how exercised as regards marines	,, s.179(*8*).
Provisions as to signifying and validity of orders by, etc.	,, s.172. 7Edw.7,c.2,s.9(*1*),Sch.3

III.—UNDER INDIAN ARTICLES OF WAR.[1]

1. Preliminary.

Act 5, 1869 [1] (Indian Articles of War), declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3,Sch.
the Arakan Hill District	Reg.9,1874,s.3.
Upper Burma generally (except the Shan States)	Act13,1898,s.4,Sch.1.
British Baluchistan	Reg.1,1890,s.3.
Angul District	Reg.1,1894,s.3.
Act 5, 1875 [1] (Unattested Sepoys), declared in force in—	
the Arakan Hill District	Reg.9,1874,s.3.
Upper Burma generally (except the Shan States)	Act13,1898,s.4, Sch.1.
British Baluchistan	Reg.1,1890,s.3.

[1] Act 5, 1869, and Act 5,1875, will be repealed on the coming into force of Act 8, 1911.

INDIAN MILITARY AND NAVAL FORCES—*contd.*

III.—UNDER INDIAN ARTICLES OF WAR—*contd.*

2. Enrolment and Service.

Enrolment and attestation ; rank and subordination	Act5,1869,Art.1.
Validation of enlistment of certain native soldiers	Act5,1875.
Dismissal and discharge	Act5,1869,Arts.2to6.

3. Discipline and Regulation.

(*a*) Definition and application of Military Law.

Definitions	Act5,1869,Pt.I,cl.(*e*), App.I,Pt.I.
Persons to whom Articles apply	„ Pt.I, cl.(*d*).
Power of Governor General in Council to apply Articles to any force raised and maintained in India under his authority	„ Art.191.
Articles not to affect Cantonment Magistrate or Police	„ Pt.I,cl.(*f*).

(*b*) Offences punishable by Military Law.

Crimes punishable with death or transportation	„ Arts.7to24.
„ „ otherwise than with death or transportation :	
Unbecoming behaviour, etc.	„ Arts.25to53.
Embezzlement, etc.	„ Arts.54to57.
Disgraceful conduct	„ Arts.58to66.
Offences against Court-martial	„ Arts.67to69.
Other offences	„ Arts.70,71, App.I,Pt.II,

(*c*) Trial and Punishment of Offences.

(1) Courts-martial :	
Kinds of	„ Art.72.
Ordinary : convening of ; composition of ; powers of	„ Arts.73,74,76, 80to82,82A,83 to85,85A,86 to89,89A, 89B.
Extraordinary „ „ „	„ Arts.90to97, App.II.
(2) Procedure :	
Limitation of trials	„ Art.98.
Place of trial	„ Art.99.
Arrest and confinement of accused	„ Art.100.
Interpreter	„ Art.102.
Dissolution of Court	„ Art.103.
Power to clear Court „ view place	„ Arts.103A, 103B.
Who to conduct proceedings	„ Art.104.
Precedence of native officers	„ Art.105.
Time of trial ; adjournment	„ Art.106.
Challenges by prisoner	„ Art.107.
Oath or affirmation of intrepreter, president, members, Judge Advocate General and witnesses	„ Arts.108, 108A,109to113.

INDIAN MILITARY AND NAVAL FORCES—*concld.*

III.—UNDER INDIAN ARTICLES OF WAR—*contd.*

3. Discipline and Regulation—*cont*

(c) TRIAL AND PUNISHMENT OF OFFENCES—*contd.*

(2) Procedure—*contd.*

Bar to application of Oaths Act (10, 1873)	Act10,1873,s.3.	
Reference by prisoner to Government officer	Act5,1839,Art.115.	
Conviction of one offence permissible on charge of another	,,	Art.116.
Evidence	,,	Arts.117, 117A.
Voting of members of Court-martial	,,	Arts.118,119.
Procedure laid down in Arts. 106 to 119 to be adopted save when otherwise specially ordered or provided	,,	Art.121.
Revision of finding or sentence	,,	Art.120.
Summoning of witnesses and production of documents	,,	Art.122.
Contempts of Court	,,	Art.123.
Exemption from arrest of persons attending Court-martial	,,	Art.124.
(3) Sentences	,,	Arts.130to141.
,, execution of	,,	Arts.150to155.
,, pardons, and remissions of	,,	Arts.160,161.
(4) Miscellaneous Provisions :		
Preservation of proceedings of Court-martial	,,	Art.161A.
Enquiry by Regimental Court into absence from duty	,,	Art.162.
Prohibition of second trial	,,	Art.180.

(d) OFFENCES PUNISHABLE CIVILLY.

Delivery of accused to Magistrate	,,	Art.170.
Military jurisdiction with respect to	,,	Arts.171to175.

(e) MISCELLANEOUS PROVISIONS AS TO DISCIPLINE AND REGULATION.

Prisoner of war : arrears due to, when payable when service may be reckoned by	,,	Art.163.
Powers exerciseable independently of trial	,,	Arts.164to169.

4. Miscellaneous.

Property of deceased persons, deserters or lunatics :		
Disposal of	,,	Arts.176,179.
Probate or letters of administration may be dispensed with	,,	Art.177.
Meaning of "deserter" as used in Art. 176	,,	Art.178.
Persons subject to Indian Articles of War exempted from arrest for debt, attachment of property, etc.	,,	Arts.181,182.
	Act5,1908,s.60(*1*)(*j*).	
Priority of hearing by Courts of cases in which Native officers or soldiers are concerned	Act5,1869,Art.184.	
Capture of deserters	,,	Art.185.
Arrest of deserters by police	Act5,1898,s.54(*1*),(*6*).	
	Bom.Act4,1902,s.33(*f*).	
Apprehension of military offenders by civil authorities	Act5,1869,Art.186.	
Presumption as to signatures	,,	Art.187.
Army command ; what forces under	,,	Art.188.
Act 5, 1869, not to affect authority of Commander-in-Chief	,,	Art.189.
Power of Governor General in Council to make rules	,,	Art.190.

INDIAN MINES ACT, 1901. (*See* MINES; OFFICIAL SECRETS)	Act8,1901.
INDIAN MUSEUM ACT, 1910	Act10,1910.
INDIAN MUSEUM.	
Trustees of: number of; incorporation of; term of office; appointment of new trustee to fill casual vacancies; vacation of office by existing trustees	Act10,1910,ss.2to5.
" quorum at meetings of	" s.3(2).
" vesting of property in	" ss.6(1),12.
" powers of, for management of Museum and making of bye-laws	" ss.6,8.
" " as to parting with certain property in their possession	" s.15,Sch.
" " as to appointment of officers and servants; status, pay, leave and pension of officers and servants	" ss.9,13.
" " as to keeping collections not their property	" s.14.
" to furnish annual report and accounts and to publish accounts	" s.10.
" to keep collections of Asiatic Society separately	" s.11.
" powers and duties of, as to exchange, sale, destruction, etc., of articles in collections	" s.7.
Disposal of collections in case of determination of trust	" s.16.
INDIAN NATURALISATION ACT, 1852. (*See* ALIEN)	Act30,1852.
INDIAN OATHS ACT, 1873. (*See* INDIAN MILITARY AND NAVAL FORCES; OATH AND AFFIRMATION)	Act10,1873.
INDIAN OFFICIAL SECRETS ACT, 1889. (*See* OFFICIAL SECRETS)	Act15,1889.
" " " (AMENDMENT) ACT, 1904	Act5,1904.
INDIAN PAPER CURRENCY ACT, 1910. (*See* PAPER CURRENCY)	Act2,1910.
INDIAN PENAL CODE (*See* ABDUCTION; BIGAMY; COMPULSORY LABOUR; CRIMINAL LAW (INDIAN); CRUELTY TO ANIMALS, 1; DESERTION; DRUGS; EXPLOSIVE; FIRE, II; FOOD AND DRINK; FRAUDULENT CONVEYANCE; INFECTIOUS DISEASE; INTOXICATION; KIDNAPPING; LUNATIC, 5; MINOR; OATH AND AFFIRMATION; POISON; PRISONER OF WAR; PRIVATE DEFENCE; SLAVERY; STATE PRISONER; SUICIDE; THUG; TRANSPORTATION; TRUST; WATER; WEIGHTS AND MEASURES)	Act45,1860.
" " " AMENDMENT ACT, 1872	Act19,1872.
" " " " " 1882	Act8,1882.
" " " " " 1896	Act6,1896.
" " " " " 1910	Act3,1910.
" " " " " 1870	Act27,1870.
" " " " " 1898. [*See* CRIMINAL LAW (INDIAN)]	Act4,1898.

INDIAN PETROLEUM ACT, 1899. (*See* MUNICIPALITY, I; PETROLEUM) . . . . . Ac.8,1899.

INDIAN PORTS ACT, 1908. [*See* ARMS, AMMUNITION AND MILITARY STORES; CUSTOMS (SEA); DESERTION; FIRE, II; MERCHANT SHIPPING; PORT] . . . . . Act15,1908.

INDIAN POST OFFICE ACT, 1898. [*See* CRIMINAL LAW (INDIAN); CRIMINAL PROCEDURE (INDIAN); CUSTOMS; EVIDENCE, II; MERCHANT SHIPPING, 12; POST OFFICE (INDIAN LAW)] . . . . . Act6,1898.

INDIAN POST OFFICE (AMENDMENT) ACT, 1903 . . Act2,1903.

INDIAN PRESIDENCY TOWNS ACT, 1815. (*See* GOVERNMENT OF INDIA; PRESIDENCY-TOWNS) . . . . . 55G.3,c.84.

INDIAN PRESS ACT, 1910. [*See* CRIMINAL PROCEDURE (INDIAN); CUSTOMS; POST OFFICE (INDIAN LAW); PRINTING PRESSES AND PUBLICATIONS] . . . . . Act1,1910.

INDIAN PRIZE MONEY ACT, 1866.[1] (*See* ARMY) . . 29-30V.c.47.

" " " " 1868.[1] (*See* ARMY; INDIAN MILITARY AND NAVAL FORCES) 31-2V.c.38.

INDIAN RAILWAYS ACT, 1890. [*See* ANIMAL; BOUNDARIES; CARRIER; CRIMINAL LAW (INDIAN); EXPLOSIVE; INFECTIOUS DISEASE; LIEN; LOCAL AUTHORITY; RAILWAY; TRAMWAY; TREES] . . Act9,1890.

" " " 1894. (*See* RAILWAY) . . . 57-8V.c.12.

" " " (1890) AMENDMENT ACT, 1896 Act9,1896.

INDIAN RAILWAY BOARD ACT, 1905. (*See* RAILWAY) . Act4,1905.

INDIAN RAILWAY COMPANIES ACT, 1868 (*See* RAILWAY). 31-2V.c.26.

" " " " 1873 36-7V.c.43.

" " " " 1895 Act10,1895.

INDIAN REGISTRATION ACT, 1908. (*See* ADMINISTRATOR GENERAL; LOAN, B; OFFICIAL TRUSTEE; REGISTRATION OF DOCUMENTS; SUCCESSION) . . . . . Act16,1908.

INDIAN REGISTRATION OF SHIPS ACT, 1841. (*See* MERCHANT SHIPPING) . . . . . Act10,1841.

INDIAN REGISTRATION OF SHIPS ACT (1841) AMENDMENT ACT, 1850. (*See* MERCHANT SHIPPING) . . . Act11,1850.

INDIAN REGISTRATION OF SHIPS ACT (1841) AMENDMENT ACT, 1891 . . . . . Act7,1891.

INDIAN RESERVE FORCES ACT, 1888. (*See* INDIAN RESERVE FORCES) . . . . . Act4,1888.

INDIAN RESERVE FORCES. *See also* ARMY RESERVE.

Act 4,1888, applies to whole of British India . . . . . Act4,1888,s.3.

" " declared in force in British Baluchistan . . . Reg.1,1890,s.3.

To consist of active reserve and garrison reserve . . . Act4,1888,s.2.

Liability of, to serve out of British India . . . . . " s.3.

" to military law . . . . . " s.5.

Power of Governor General in Council to make rules and orders for government, discipline and regulation of . . . . " s.4.

Punishment of certain offences by persons belonging to . . " s 6

Act not to apply to persons already in reserve, except with their consent . . . . . " s.7.

[1] This short title was given by 59 & 60 Vict., c. 14.

INDIAN RESERVE FORCES—*contd.*

Persons belonging to, exempted from arrest for debt, attachment of property, etc. . . . . [1] Act 5, 1869, Arts. 181 to 183.

INDIAN SALARIES AND ALLOWANCES ACT, 1880. (*See* BISHOPS AND CLERGY; GOVERNMENT OF INDIA; HIGH COURT; INDIAN MILITARY AND NAVAL FORCES) . . . . 43 V. c. 3.

INDIAN SALARIES AND PENSIONS ACT, 1825. (*See* BISHOPS AND CLERGY; HIGH COURT) . . . . . 6 G. 4, c. 85.

INDIAN SALT ACT, 1882. (*See* SALT) . . . . . Act 12, 1882.

" " " (1882) AMENDMENT ACT, 1890 . . . Act 19, 1890.

INDIAN SALT DUTIES ACT, 1908. (*See* SALT) . . . . Act 10, 1908.

INDIAN SEA PASSENGERS ACT, 1885. (*See* MERCHANT SHIPPING) . . . . . Act 12, 1885.

INDIAN SECURITIES ACT, 1860. [2] [*See* ADMINISTRATION OF ESTATES (ENGLISH LAW); FINANCE; GOVERNMENT SECURITIES] 23-4 V. c. 5.

INDIAN SECURITIES ACT, 1886. (*See* GOVERNMENT SECURITIES; TRUST) . . . . . Act 13, 1886.

INDIAN SHORT TITLES ACT, 1897. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES) . . . . . Act 14, 1897.

INDIAN SLAVERY ACT, 1843. (*See* SLAVERY) . . . . Act 5, 1843.

INDIAN STAMP ACT, 1899. [*See* ADMINISTRATOR GENERAL; CRIMINAL PROCEDURE (INDIAN); POLICY OF INSURANCE; STAMPS] . Act 2, 1899.

" " (AMENDMENT) ACT, 1904 . Act 15, 1904.

" " " " 1906 . . Act 5, 1906.

" " " " 1910 . . Act 6, 1910.

INDIAN STEAMSHIPS ACT, 1884. (*See* MERCHANT SHIPPING) Act 7, 1884.

" " LAW AMENDMENT ACT, 1890 . Act 3, 1890.

" " " " " 1909 . Act 1, 1909.

" " (AMENDING AND VALIDATING ACT), 1902 . . . . . Act 3, 1902.

INDIAN SUCCESSION ACT, 1865. [*See* ADMINISTRATION OF ESTATES (INDIAN LAW); ESCHEAT; GIFT; MINORITY; SUCCESSION] . . . . . Act 10, 1865.

INDIAN TARIFF ACT, 1894. [*See* ARMS, ETC.; CUSTOMS; CUSTOMS (SEA, INLAND); CUSTOMS (SEA); EXCISE; LIQUOR; OPIUM; SALT; SALTED FISH, SPIRIT] . . . . . Act 8, 1894.

" " ACT (AMENDMENT) ACT, 1896 . . Act 3, 1896.

" " AMENDMENT ACT, 1899 . . . . Act 14, 1899.

" " " " 1902 . . . . Act 8, 1902.

" " " " 1903 . . . . Act 12, 1903.

" " " " 1906 . . . . Act 1, 1906.

" " " " 1910 . . . . Act 8, 1910.

INDIAN TEA CESS ACT, 1903. [*See* CUSTOMS (INLAND); TEA CESS] . . . . . Act 9, 1903.

[1] Act 5, 1869, will be repealed on the coming into force of Act 8, 1911.
[2] This short title was given by 59 & 60 Vict., c. 14.

INDIAN TELEGRAPH ACT, 1885. (*See* LOCAL AUTHORITY; POLICE, I; RAILWAY; RANGOON; TELEGRAPH) . . . . . Act13,1885.

" " (PRESIDENCY-TOWNS) ACT, 1888 . Act11,1888.

INDIAN TOLLS ACT, 1851 } (*See* TOLLS) . . . . Act8,1851.
" " " 1864 } Act15,1864.
" " " 1888 } Act8,1888.

" " (ARMY) ACT, 1901. (*See* FERRY; MARCHING TROOPS; PORT; PORT COMMISSIONERS, ETC.; TOLLS) . . . . . Act2,1901.

INDIAN TRAMWAYS ACT, 1886. (*See* TRAMWAY) . . Act11,1886.
" " " 1902. (*See* TRAMWAY) . . Act4,1902.

INDIAN TREASURE TROVE ACT, 1878. (*See* TREASURE TROVE) . . . . . Act6,1878.

INDIAN TRUSTEES ACT, 1866. [*See* ADMINISTRATION OF ESTATES (INDIAN LAW); MORTGAGE; TRUST] . . . Act27,1866.

INDIAN TRUSTS ACT, 1882. (*See* MINOR; OFFICIAL TRUSTEE; PARTNERSHIP; TRUST) . . . . Act2,1882.

" " (AMENDMENT) ACT, 1908 . . . Act3,1908.

INDIAN UNIVERSITIES ACT, 1904. (*See* UNIVERSITY) . . Act8,1904.

INDIAN VOLUNTEERS ACT, 1869. (*See* PENSIONS AND GOVERNMENT GRANTS; VOLUNTEER). . . . . Act20,1869.

INDIAN VOLUNTEERS ACT (AMENDMENT) ACT, 1896. (*See* VOLUNTEER) . . . . . Act10,1896.

INDIAN VOLUNTEERS ACT (AMENDMENT) ACT, 1909 . Act6,1909.

INDIAN WEIGHTS AND MEASURES OF CAPACITY ACT, 1871. (*See* WEIGHTS AND MEASURES) . . . . Act31,1871.

INDIAN WORKS OF DEFENCE ACT, 1903. [*See* LAND (INDIAN LAW). 3; STAMP] . . . . . Act7,1903.

INDIGO CONTRACTS REGULATION, BENGAL, 1823 [1] . Ben.Reg.6,1823.
" " " " 1830 [1] . Ben.Reg.5,1830.
" " ACT, " 1836 [1] . Act10,1836.

INDIGO.

Advances under written agreement for cultivation of.

Ben. Reg. 6, 1823, Ben. Reg. 5, 1830, s. 5, and Act 10, 1836, declared in force throughout Agra, Bengal (except Sambalpur District) and Eastern Bengal, except as regards the Scheduled Districts . . . . . Act15,1874,ss.6,7.

Person making such advances to have lien on crop . . . Ben.Reg.6,1823,s.2.

Such person may institute either summary or regular suit in case of evasion of agreement . . . . . " s.5(*1*).

Procedure in such suits to be same as in suits for arrears of rent " s.6.

Summary suit in case of evasion of such agreement:

Special rules of procedure . . . . . " s.3.

Award giving plaintiff right to receive crop, when to be made . " s.3(*5*).

When to be dismissed . . . . . " s.3(*6*).

[1] This short title was given by Act 1, 1903.

INDIGO—*contd.*

Advances under written agreement for cultivation of—*contd.*

Summary suit in case of evasion of such agreement—*contd.*

Power of Judge to order cutting of crop and delivery to party pending decision; security to be given . . . . . Ben. Reg. 6, 1823, s. 3(9). Act 10, 1836, s. 2.

Right of successful party to prevent cutting of crop contrary to agreement . . . . . Ben. Reg. 6, 1823, s. 4(1).

Manufacturer cutting crop in pursuance of award to be jointly responsible with raiyat to landlord for arrears of rent . . „ s. 4(2).

When judgment in favour of plaintiff, defendant to repay advances, with interest and costs . . . . . „ s. 5(2).

Regular suit in case of evasion of such agreement:

Right to institute . . . . . „ s. 6.

Limitation to liability of defendant, where no fraud, etc., proved . . . . . „ s. 5(4).

Right of person who has received such advances to apply to District Court for settlement of accounts . . . . Ben. Reg. 5, 1830, s. 5.

Power, in case of breach of such agreement, to proceed against cultivator and instigator of breach jointly . . . . Act 10, 1836, s. 3.

Power of Court, in suits under Ben. Reg. 6, 1823, or Act 10, 1836, to examine both plaintiff and defendant and to award compensation to successful defendant . . . . . „ s. 4.

INDUS.

Preventive Line. *See* SALT, II, 3.

Vessels plying on river Indus and its tidal channels:

Registration and marking of vessels; fees; fines . . . Bom. Act 1, 1863, ss. 1 to 6.

Such fees and fines to be expended in improving navigation . „ s. 7.

Maintenance of pilots and pilot-boats; pilotage fees, and fines for non-payment thereof . . . . . „ ss. 8 to 12.

Such fees and fines to be expended in securing safe passage of vessels . . . . . „ s. 13.

Account of receipts and expenditure . . . . . „ s. 14.

Power to appoint officers and make rules . . . . „ s. 15.

Barge or flat in tow not to be considered a "vessel" . . „ s. 17.

INDUS VALLEY STATE RAILWAY.

Laws in force in Multan, etc., to apply to lands ceded by Bhawalpur State for . . . . . Act 13, 1883, s. 2.

INFANT.

National status of child. *See* ALIEN, 1, 2 (*a*).

Effect on status of child of parent becoming alien or being re-admitted to British nationality . . . . . 33-4 V. c. 14, s. 10. 58-9 V. c. 43.

11 Geo. 4 & 1 Will. 4, c. 65, extended to India . . . . Act 24, 1841, s. 2.

Conveyances by, under order of Court . . . . . „ s. 4.

Act 24, 1841, repealed, except as to infants . . . . Act 8, 1868.

„ „ applies only to cases governed by English law . Act 24, 1841, s. 5.

Child when liable for criminal offence. *See* CRIMINAL LAW (INDIAN), 3.

Penalty for buying from, or taking pledge from, child . . (Bo. Town) Bom. Act 4, 1902, s. 117. (Cal.) Ben. Act 4, 1866, s. 54. (M. City) Mad. Act 3, 1888, s. 66.

INFANT—*contd.*

Employment of children in factories. *See* FACTORY.

Maintenance of children under order of Magistrate. *See* CRIMINAL PROCEDURE (INDIAN), 11 (4).

Vaccination of children. *See* VACCINATION, I, 3; II, 3; III, 3.

See also APPRENTICE; MINOR.

INFANTS' PROPERTY ACT, 1830 (11 G. 4, c. 65) extended to British India. *See* INFANT.

INFANTICIDE.

Act 8, 1870, extends *proprio vigore* to North-West Frontier Province, Punjab and United Provinces and may be extended by notification to other places	Act8,1870,s.7.
,, ,, declared in force in the Arakan Hill District	Reg.9,1874,s.3.
,, ,, (with amendment) in Bombay Presidency	Bom.Act3,1897.
,, ,, declared not to be in force in the Panch Mahals	Act7,1885.
Power to notify districts and persons to be subject to Act	Act8,1870,s.1.
Power to make rules for registration of births, marriages and deaths, taking of census, entertainment of extra police, etc., in such districts	,, ss.2,3.
Penalty for breach of rules	,, s.4.
Prosecutions under other laws not barred, but only one punishment allowed	,, s.5.
Power of Magistrate to place female child under supervision and to enforce payment of maintenance	,, s.6.
Power to apply monies recovered or levied under Act 8, 1870 in Kaira and Ahmedabad Districts for educational benefit of the Lewa and Kadva Kunbi castes	Bom.Act3,1897,s.1.

INFECTIOUS DISEASE.

Penalty for spreading infection of disease dangerous to life	Act45,1860,ss.269,270.
Flag to be hoisted at sea when plague or other infectious disease on board ship	6G.4,c.78,s.9.
Penalty for disobeying quarantine rule	Act45,1860,s.271.
Power to take special measures and prescribe regulations to prevent outbreak or spread of dangerous epidemic disease; delegation of powers to Local Government	Act3,1897,s.2.
Penalty for breach of regulation or order made under Act 3, 1897, s. 2	,, s.3.
Protection to persons acting under Act 3, 1897	,, s.4.
Act 3, 1897, declared in force in Santhál Parganas	Reg.3,1872,s.3,Sch.
,, ,, ,, ,, in Upper Burma except Shan States	Act13,1898,s.4.Sch.1.
Carriage by railway of passengers suffering from	Act9,1890,ss.47(*d*),71, 117(*l*).
Power of Governor General in Council to make rules for preventing spread of, in cantonments	Act15,1910,s.24(*21*).

Control over outbreak or spread of, in municipalities:

See MUNICIPALITY, *sub-heading* 6. The Public Health, Safety and convenience.

Power of Local Authority to borrow for measures against. *See* LOAN, B, 2 (*b*).

Keeper of sarai bound to give notice of . . . . . Act22,1867,s.7(*1*).

INFECTIOUS DISEASE—*contd.*

Control over intending emigrants suffering from. *See* EMIGRATION, A, 2 (4), (6); B, 4, 6.

Power to take special measures to prevent outbreak of, in villages . . . . . U.P.Act2,1892,ss.17to19.

" of Magistrate and Civil Surgeon to make bye-laws for prevention of spread of epidemics among pilgrims to Puri . Ben.Act4,1871,ss.37,38.

" of Commissioner of Police to make orders for preventing outbreak or spread of; penalty . . . . Bom.Act4,1902,ss.27,127.

" of District Magistrate to make rules or orders for preventing or for checking spread of; penalty . . . Bom.Act4,1890,ss.39(*h*),(*j*),50,65.

" of District Magistrate to take special measures and prescribe regulations to prevent outbreak or spread of epidemic disease at fairs, places of pilgrimage, etc., and to levy fees to provide for sanitation; expenses when recoverable from Municipality; enforcement of orders; penalty . . . . . " ss.45,50,55,69.

Bombay City and Port:

Power to notify dangerous diseases . . . . . Bom.Act6,1867,s.12.

Power to establish sanitaria and appoint establishments therefor " s.1.

Appointment of Port Health Officer; his subordination to Consulting Officer of Health . . . . . " s.2.

Power of Health Officer, or Magistrate acting on medical certificate, to require sufferer in place of public resort or on vessel to go to sanitarium . . . . . " ss.3to5, Sch.A.

Removal of sufferer to sanitarium from vessel . . . . " ss.6,8,Sch.B.

Inspection of vessels by Health Officer . . . . . " s.7.

Disinfection of vessels, and recovery of expenses . . . " s.9.

Detention of sufferer in sanitarium until discharge under certificate . . . . . " s.10.

Power of Local Government to make rules as to management of sanitaria, disinfection or destruction of property of sufferers, and disinfection of vessels . . . . . " s.11.

Delegation of Health Officers' powers . . . . . " s.13.

Power of Local Government to make special orders as to vessels to prevent spread of disease . . . . . " s.14.

Executive Health Officer of Bombay City Municipality to be Consulting Officer of Health under Bom. Act 6, 1867 . . Bom.Act3,1888,s.76.

Report by rural policemen of outbreak of cholera, small-pox or other epidemic disease; . . . . . (As.)Reg.1,1883,s.18(*g*).

Report by headman of village of cases of cholera, plague, small-pox or cattle-disease . . . . . Bur.Act3,1907,s.7(*j*).

Duty of headman of ward or village or village-police with regard to . . . . . Bur.Act 6,1907,s.8(*k*).

See also CRIMINAL LAW (IND.), 12; LEPER; VACCINATION.

Among animals. *See* ANIMAL, A.

INFIRMARY FOR ANIMALS. *See* CRUELTY TO ANIMALS, 1, 3.

INHERITANCE ACT, 1839. (*See* SUCCESSION) . . . Act30,1839.

INHERITANCE REGULATION (BENGAL), 1793.[1] (*See* SUCCESSION) Ben.Reg.11,1793.

" " " 1800.[1] Ben.Reg.10,1800.

[1] This short title was given by Act 5, 1897, s. 4.

INJUNCTION.

See CIVIL PROCEDURE, 5; PREVENTIVE RELIEF; SPECIFIC RELIEF.

INLAND BONDED WAREHOUSES ACT, 1896. [*See* CUSTOMS (SEA)] . . . Act 8, 1896.

" CUSTOMS. *See* CUSTOMS; CUSTOMS (INLAND); SALT.

" STEAM-VESSELS ACT, 1884. (*See* FIRE, II; INLAND STEAM-VESSELS) . . . . . Act 6, 1884.

INLAND STEAM-VESSELS (1884) AMENDMENT ACT, 1891 . . . Act 13, 1891.

" " " " " 1899 . . . Act 7, 1899.

INLAND STEAM-VESSELS.

Act 6, 1884, extends to whole of British India except Madras Presidency; power to extend it to that Presidency by notification . . . . . Act 6, 1884, ss. 1, 2.

" " declared in force in Upper Burma except Shan States . . . . . Act 13, 1898, s. 4, Sch. I.

Definitions . . . . . Act 6, 1884, s. 5.

Power to define "tidal water" . . . . . " s. 65.

Survey . . . . . " ss. 6 to 8, 8A, 9 to 21, Sch. II.

Examination of, and grant of certificates of competency to, officers . . . . . " ss. 22 to 25.

Grant of certificates of service to officers . . . . . " s. 25A.

Certificate of competency or service to have effect throughout British India . . . . . " s. 29A.

Certificates of officers; form and record of . . . . . " s. 26.

" " loss of . . . . . " s. 27.

" " nature of certificates required in case of different vessels . . . . " s. 28.

" " power to make rules as to . . . . " s. 29.

" " suspension and cancellation of . . " ss. 43, ss. 44 to 46.

Certificated masters deemed pilots under Indian Ports Act, 10 of 1889, s. 31 . . . . . " s. 68.

Investigation into casualties and into misconduct of officers . " ss. 30 to 40.

Protection of vessels from danger by fire and from collision . " ss. 47 to 50, 50A.

Carriage of passengers . . . . . " ss. 51, 51A.

Offences and penalties . . . . . " ss. 52 to 54, s. 54A, 55 to 59.

Distress of vessel for recovery of fine . . . . . " s. 60.

Recovery of fees . . . . . " s. 66.

Jurisdiction and place of trial . . . . . " ss. 61, 62.

Prosecutions under other laws not barred, but only one punishment allowed . . . . . " s. 63.

Power to exempt vessels from Chapter II (ss. 6 to 21) and Chapter III (ss. 22 to 29) . . . . . " s. 64.

Government vessels exempted from operation of Act . . " s. 67.

Procedure for making and publishing rules under Act . . " s. 69.

Application of provisions of Act 6, 1884, to vessels propelled by electricity or other mechanical power . . . . . " s. 68A.

Emigrant vessels; control over. *See* EMIGRATION, B, 2 (5).

INOCULATION.

Defined. *See* WORDS AND PHRASES.

See VACCINATION, I, 4; II, 5; III, 5.

INQUEST.

By Coroner. *See* CORONER.

By Magistrates and police. *See* CRIMINAL PROCEDURE (INDIAN), 7.

By police patel, Bombay Presidency. *See* POLICE, III, B.

By village headman . . . . . Mad.Reg.11,1816,s.13.

On body of prisoner dying in civil jail . . . . . Bom.Act2,1874,s.15.

INSOLVENCY ACT (PRESIDENCY-TOWNS), 1909 . . Act3,1909.

" " (PROVINCIAL), 1907 . . . . Act3,1907.

INSOLVENCY.

Validation of payment, etc., under power-of-attorney without notice of insolvency of donor . . . . . Act7,1882,s.3.

A.—PRESIDENCY-TOWNS AND RANGOON.

1. Courts and Jurisdiction.

Courts having jurisdiction under Act 3, 1909 . . . . . Act3,1909,s.3.

Exercise of jurisdiction by and powers of . . . . . " ss.4,5,7.

Restrictions on exercise of jurisdiction . . . . . " s.11.

Delegation of powers to officers of Court . . . . . " s.6.

Appeals from order made under insolvency jurisdiction: limitation . . . . . " ss.8,86, 101.

Power to appoint official assignee to be interim receiver . . " s.16.

" of Court to rescind contract and make vesting order in respect of disclaimed property . . . " ss.65,66.

" " to order discovery of insolvent's property and delivery thereof to official assignee . . " s.36.

General powers and powers to punish for contempt . . . " s.90.

Power to order arrest of insolvent . . . . . " s.34.

Warrants of, issue and execution . . . . . " s.100.

Power to order, summary administration in small cases . . " s.106.

" " administration of estates of persons dying insolvent . . . . . " s.108.

Saving of jurisdiction of Administrator General . . . " s.111.

All British Courts of insolvency or bankruptcy to be auxiliary to each other . . . . . " s.126, 46-7,V.c.52,s.118, Act3,1907,s.50.

Right to audience . . . . . Act3,1909,s.121.

2. Proceedings from act of insolvency to discharge.

(a) PRELIMINARY.

Acts of insolvency . . . . . Act3,1909,s.9.

Insolvency petition by creditor, conditions for, contents and form of, and proceedings on . . " ss.12,13.

" " by debtor, conditions for, contents and form of, and proceedings on . . . " ss.14,15.

" " matters to be proved on . . . . " ss.13(2), 15(1).

" " power to change carriage of; consolidation; dismissal of against some . . . " ss.92,91,96.

Appointment of Interim receiver . . . . . " s.16

INSOLVENCY—*contd.*

A.—PRESIDENCY-TOWNS AND RANGOON—*contd.*

2. Proceedings from act of insolvency to discharge—*contd.*

(a) Preliminary—*contd.*

Stay of proceedings in case of concurrent proceedings	Act3,1909,s.22.
„ „ in other cases	„ s.94.
Continuance of proceedings on death of debtor	„ s.93.
Proceedings in respect of partnerships	„ ss.95,97to 99.
Insolvency petition, none against corporation, company, etc.	„ s.107.

(b) Composition or scheme.

Composition or scheme of arrangement, submission of and proceedings on	„ ss.28to 32.
Acceptance of, not to affect criminal liability incurred	„ s.105.

(c) Adjudication of insolvency.

Power to adjudicate	„ ss.10,11.
Order of adjudication, making of	„ ss.13(5), (7),15(1).
effect of on	„ s.17.
stay of suit or proceeding against insolvent on	„ s.18.
advertisement of	„ s.20.
annulment of and proceedings thereon	„ ss.21,23, 30,41.
in case of concurrent proceedings	„ s.22.
Schedule of insolvent's affairs	„ s.24.
Protection order on insolvent filing his schedule	„ s.25.
Meeting of creditors and public examination of insolvent	„ ss.26,27.
Control over person and property of insolvent	„ ss.33to 37.
Arrest and discovery of property of insolvent	„ ss.34,36.

(d) Discharge.

Discharge of insolvent, refusal, grant or grant on condition of	„ ss.38, 40,44.
Fresh application for, on refusal or conditional discharge	„ s.42.
Effect of discharge	„ s.45.
Duty of discharged insolvent to assist in realization of property	„ s.43.
Discharge not to affect criminal liability incurred	„ s.105.

3. Administration of Property.

(a) Official assignee.

Official assignee; appointment, removal and remuneration of	Act3,1909,ss.77,81. Act10,1898,s.4.
„ „ name under which to sue and be sued	Act3,1909,s.83.
„ „ Special Manager appointed to assist	„ s.19.

INSOLVENCY—*contd.*

A.—PRESIDENCY-TOWNS AND RANGOON—*contd.*

3. Administration of Property—*contd.*

(*a*) OFFICIAL ASSIGNEE—*contd.*

Official assignee; when appointed interim receiver	Act 3, 1909, s.16.
,, ,, to take part in public examination of insolvent	,, s.27(*4*).
,, ,, property of insolvent to vest in and pass to successor of	,, s.61.
,, ,, powers and duties of, as to realization, seizure and possession of property	,, ss.58 to 60, 68.
,, ,, power of, to disclaim onerous property and contracts	,, ss.62 to 67.
,, ,, power to administer oath	,, s.78.
,, ,, duties of, as regards insolvent's conduct	,, s.79.
,, ,, to furnish list of creditors to creditor requiring it	,, s.80.
,, ,, power to summon meeting of creditors, to apply to Court for directions, and discretionary powers	,, s.85.
,, ,, appeal to Court from acts of: limitation	,, ss.86, 101.
,, ,, Control of Court and Committee of Inspection	,, ss.87, 89.
,, ,, liability of, for misfeasance, neglect or omission	,, s.82.
,, ,, vacation of office on insolvency of	,, s.84.
,, ,, vesting of estate of persons dying insolvent	,, s.109.
,, ,, right of, to possession of insolvent's books	,, s.124.

(*b*) MODE OF ADMINISTRATION.

Insolvent's schedule	,, s.24.
Meeting of creditors: resolutions passed at, to be considered by official assignee	,, ss.26, Sch.1, 85(*1*).
Appointment of Committee of Inspection	,, s.88.
Debts provable in insolvency	,, ss.46, 67.
Rules as to mode of proof, proof by secured creditors, periodical payments, interest, debt payable in future, admission and rejection of proof	,, s.48, Sch.2.
Mutual dealings and set off	,, s.47.
Priority of debts	,, s.49.
Rights of landlords in respect of rent due	,, ss.49(*1*)(*c*), 50.
Property available for distribution among creditors, reputed ownership, relation back of assignee's title	,, ss.17, 51 52.
Duty of insolvent to attend meetings, submit to examinations and generally to assist in administration	,, s.33.
Execution of decree against insolvent how affected by order of adjudication; duty of Executing Court	,, ss.53, 54.
Voluntary transfers and certain preferences avoided, protection of certain *bonâ fide* transactions	,, ss.55 to 57.
Realization, seizure and possession of insolvent's property by official assignee; vesting	,, 58 to 61.
Appropriation of pay, salary, or other income of civil, military, naval, marine servants and others	,, s.60.

INSOLVENCY—*contd.*

A.—PRESIDENCY-TOWNS AND RANGOON—*concld.*

3. Administration of Property—*contd.*

(*b*) MODE OF ADMINISTRATION—*contd.*

Disclaimer of onerous property	Act3,1909,ss.62to 67.
Distribution of property: dividends	,, ss.69to 73.
No suits for dividends	,, s.74.
Allowance to insolvent for maintenance and when appointed to manage property	,, s.75.
Right of insolvent to surplus	,, s.76.
Summary administration in small cases	,, s.106.
Administration of estates of persons dying insolvent	,, ss.109to 111.

4. Miscellaneous.

Definitions	,, s.2.
Power to issue commissions	,, s.37.
Redirection of letters, etc., addressed to insolvent	,, s.35.
Appointment of insolvent to manage property	,, s.75.
Power to make rules	,, ss.112to 114.
Fees and percentages	,, s.125.
Unclaimed dividends to lapse to Government: claims in respect of	,, ss.122, 123.
Exemption from stamp-duty, fees, etc.	,, s.115.
Gazette to be evidence	,, s.116.
Affidavits, swearing of	,, s.117.
Proceedings not vitiated by formal defect	,, s.118.
Act 27 of 1866, application of in case of insolvent trustees	,, s.119.
Provisions to bind the Crown	,, s.120.
Penalty for undischarged insolvent obtaining credit	,, s.102.
Punishment for certain offences by insolvents: procedure	,, ss.103to 105.
Enforcement in India of warrant of Bankruptcy Court in England	46-7V.c.52,s.119.
Exemption from seizure, etc., of electric supply lines, apparatus etc.	Act9,1910,s.25.

B.—ELSEWHERE.

1. Courts and Jurisdiction.

Courts having insolvency jurisdiction	Act3,1907,ss.3,2(*c*).
,, general powers of	,, s.47.
,, delegation of powers to official receiver	,, s.52.
Appeals from orders in insolvency proceedings	,, s.46.
,, to Court from act of receiver	,, s.22.
British Courts of insolvency or bankruptcy to be auxiliary to each other	,, s.50; Act3,1909,s.126; 46,7V.c,52,s.118.

INSOLVENCY—*contd.*

B.—ELSEWHERE—*contd.*

2. Proceedings from act of insolvency to discharge.

(*a*) PRELIMINARY.

Acts of insolvency	Act	3,1907,s.4.
Insolvency petition, form and place of presentation of	,,	ss.5,6.
,, ,, by debtor, condition for presentation and contents of	,,	ss.6(*3*),11(*1*).
,, ,, by creditor	,,	ss. 6(*4*),(*5*), 11(*2*),
,, ,, none against corporation, company, etc.	,,	s.6(*6*).
,, ,, procedure on	,,	ss.7to10,12to 15.
,, ,, compensation for frivolous or vexatious petition by creditor	,,	s.15(*2*),(*3*).

(*b*) COMPOSITION OR SCHEME.

Composition or scheme of arrangement; submission of by debtor and its effect	,,	s.27.

(*c*) ADJUDICATION OF INSOLVENCY.

Power to make order of adjudication	,,	s.5.
Order of adjudication and effect of; order to relate back	,,	s.16.
Concurrent adjudications	,,	s.17.
Annulment of order of adjudication	,,	s.42.

(*d*) DISCHARGE.

Discharge of insolvent, refusal or suspension of or grant of subject to condition	,,	s.44.
Effect of order of discharge	,,	s.45.

3. Administration of Property.

(*a*) RECEIVER.

Receiver, appointment and remuneration of	,,	s.18(*1*),(*2*),(*6*).
,, property to vest in and made over to, security to be given by and liability of	,,	s.18.
,, duties and powers of; special provisions for immoveable property in certain cases	,,	ss.20,21.
,, where no receiver appointed, power of, exerciseable by Court	,,	s.23.
Official receiver, appointment of	,,	s.19.

(*b*) MODE OF ADMINISTRATION.

Debts provable under Act	,,	ss.28,29.
Mode of proof	,,	s.25.
Schedule of creditors	,,	s.24.
,, disallowance and reduction of entries in	,,	s.26.
Mutual dealings and set off	,,	s.30.

INSOLVENCY—*contd.*

B.—ELSEWHERE—*concld.*

3. Administration of Property—*contd.*

(*b*) MODE OF ADMINISTRATION—*contd.*

Secured creditors, amounts for which they may prove in different circumstances	Act3,1907,s.31.
Priority of debts	,, s.33.
Interest on debts	,, s.32.
Property available for distribution among creditors, reputed ownership, relation back of receiver's title	,, s.16.
Execution of decree against insolvent how affected by order of adjudication; duty of executing Court	,, ss.34,35.
Voluntary transfers and certain preferences avoided; *bonâ fide* transactions protected in certain cases	,, ss.36to38.
Allowance to insolvent when appointed to manage property	,, s.40.
Dividends	,, s.39.
Surplus, right of insolvent to	,, s.41.
Summary administration in small cases	,, s.48.
Duty of debtor to produce books, etc., and generally to assist in the realization and distribution of his property	,, s.43(*1*).

4. Miscellaneous.

Delegation of powers of Court to official receiver	,, s.52.
Penalty for undischarged insolvent obtaining credit	,, s.53.
Penalty for certain offences by debtor	,, s.43(*2*).
Appointment of insolvent to manage property	,, s.40.
Costs, power to award	,, s.49.
Rules	,, s.51.
Definitions	,, s.2.
Extent of Act: power of Local Government to bar application of certain provisions to certain Courts	,, ss.1(*2*),54.
Savings	,, s.55.
Exemption from seizure, etc., of electric supply lines, apparatus, etc.	Act9,1910,s.25.

INSPECTION.

Powers of, in municipalities. *See cross-references from* ENTRY AND INSPECTION.

Of Railways. *See* RAILWAY, 2.

INSTRUMENT; definition of various kinds of. *See* WORDS AND PHRASES.

INSULT. *See* CRIMINAL LAW (INDIAN), 22.

INSURANCE. *See* POLICY.

INTEREST ACT, 1839. (*See* INTEREST) . . . . Act32,1839.

INTEREST.

Acts 32, 1839, and 28, 1855, declared in force throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
Act 32, 1839, declared in force in the Arakan Hill District	,, s.3. Reg.9,1874,s.3.
Power of Courts to allow	Act32,1839.

INTEREST—*contd.*

Rate of, to be allowed by Courts . . . . . Act28,1855,ss.2,3.
„ in case of deposit of sum due on mortgage on conditional sale of land . . . . . „ s.5.
„ on adjustments of accounts . . . . . „ s.6.
Contract for usufruct of property in lieu of, binding . . . . „ s.4.
Limitation on amount of, which may be decreed—
in Ajmere . . . . . Reg.3,1877,s.33.
in Angul . . . . . Reg.1,1894,s.32.
To cease after tender of payment of debt . . . . . Bom.Reg.5,1827,s.14.
Amount of, allowable in British Baluchistan . . . . . Reg.9,1896,s.50.
Rate of, to be allowed in suit under Dekkhan Agriculturists' Relief Act . . . . . Act17,1879,s.71A.
Rate of, allowed under Incumbered Estates Acts. *See* INCUMBERED ESTATES.
Rate of, in Santhál Parganas . . . . . Reg.3,1872,s.6.
Payment of, by Companies out of capital in certain cases. *See* COMPANY.
Payment of, by Railway Company out of capital. *See* RAILWAY, 10.
See LAND REVENUE

INTERNATIONAL COPYRIGHT ACT, 1844. [1] (*See* COPYRIGHT, 5) 7-8V.c.12.
„ „ „ 1852. [1] 15-6V.c.12.
„ „ „ 1875. 38-9V.c.12.
„ „ „ 1886. 49-50V.c.33.

INTERPRETATION ACT, 1889. (*See* ACTS OF PARLIAMENT) . 52-3V.c.63.

INTERPRETATION OF TERMS.
See ACTS OF PARLIAMENT, 2; ACTS AND REGULATIONS, ETC., 2; WORDS AND PHRASES.

INTESTACY.
Devolution of property on. *See* SUCCESSION, 5.

INTIMIDATION. *See* CRIMINAL LAW (INDIAN), 22.

INTOXICATION.
When it excuses from liability for offence . . . . . Act45,1860,ss.85,86.

[2]INVENTIONS AND DESIGNS ACT, 1888. (*See* DESIGNS; INVENTION) . . . . . Act5,1888.

INVENTION.
[2]Act 5, 1888, extends to whole of British India . . . . Act5,1888,s.1.
„ „ declared in force in British Baluchistan . . . Reg.1,1890,s.3.
„ „ „ „ in Upper Burma except Shan States . . . . . Act13,1898,s.4,Sch.I.
Definitions . . . . . [2]Act5,1888,s.4.
Application for leave to file, and order thereon to file, specification of . . . . . „ ss.5to7,9, to11,16, 45,46, Schs.II, III,IV.

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] Act 5, 1888, will be repealed on the 1st January 1912 on the coming into force of Act 2, 1911.

INVENTION—*contd.*

Amendment of specification	Act 5, 1888, ss. 18, 19, 45, 46.
Exclusive privilege of making, selling and using: Acquisition and continuance of	„ s. 8, Sch. IV.
Not to be granted if invention useless, not new, etc.	„ s. 20.
Meaning of "new invention"; effect of public use or knowledge in certain cases	„ ss. 21 to 26.
Extension of	„ ss. 15, 16, Sch. IV.
Assignment of	„ s. 44.
Government bound by	„ s. 17.
Suit for infringement of	„ ss. 29, 37, 39
Cessation of	„ ss. 27, 28.
„ registration of	„ s. 40.
Application to High Court to declare that exclusive privilege was not acquired, or that it has ceased	„ ss. 30 to 37, 39, 42.
Suit in District Court in case of fraud, etc., for decree declaring exclusive privilege to be vested in actual inventor	„ ss. 38, 39.
Power of Government to require grant of licenses by holder of	„ s. 43.
Register of inventions, and address-book; keeping and rectification of	„ ss. 12 to 14, 41, 42.
Employment of agents in proceedings under Act	„ s. 47.
Fees payable to Government in respect of proceedings under Act	„ s. 48, Sch. IV.
Power of Governor General in Council to make rules for working Act and to amend forms	„ s. 49.
Chief Court of the Punjab to be High Court for North-West Frontier in proceedings under Act 5, 1888	Reg. 7, 1901, s. 6(*1*)(*c*).

IRRAWADDY RIVER. *See* NAVIGATION.

IRRIGATION.

1858. Act 1 (Canals, Madras Presidency).
1864. Mad. Act 2, s. 1 (Recovery of dues for water, Madras Presidency).
1865. Mad. Act 7 (Cesses, Madras Presidency).
1873. Act 8, ss. 3 to 48, 63 to end (Canals and Drainage, Central Provinces, United Provinces and Punjab).
1874. Act 15, s. 4 (Laws Local Extent).
1876. Ben. Act 3, ss. 1 to 39, 46 to end (Irrigation and Drainage, Bengal).
1877. Reg. 2, s. 5 (Land and Revenue, Ajmere).
1879. Bom. Act 5, s. 37 (Canals).
1879. Bom. Act 7, except ss. 12 to 15 (Irrigation and Drainage, Bombay Presidency).
1884. Mad. Act 6, s. 20 (Rivers Conservancy).
1887. Reg. 8 (Irrigation, Ajmere).
1889. Reg. 3, ss. 37 to 46, 53 (Land and Revenue, Upper Burma).
1898. Reg. 4 (Peshawar Canals).
1900. Mad. Act 5 (Irrigation Cess).
1905. Bur. Act 2 (Canals).
„ Pun. Act 3 (Minor Canals).
1908. Mad. Act 1, ss. 135 to 142 (Estates Land).

IRRIGATION—*contd.*

I.—AJMERE.
II.—BURMA.
III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.
IV.—BOMBAY PRESIDENCY.
V.—SAMBALPUR DISTRICT (BENGAL), CENTRAL PROVINCES, NORTH-WESTERN FRONTIER PROVINCE, PUNJAB AND THE UNITED PROVINCES.
A.—GENERALLY.
B.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB.
C.—PUNJAB.
VI.—MADRAS PRESIDENCY.

I.—AJMERE.

Definitions	Reg.8,1887,s.2.
Power to make rules as to assessment, collection, etc., of water-revenue, distribution of water, repair of tanks, etc.	,, s.4.
Assessment to water-revenue of irrigation due to percolation from tank, etc.	,, s.3.
Recovery of water-revenue, etc.	,, s.5.
Government presumed to be entitled to exclusive use and control of water flowing in natural channels, of natural collections of water and of tanks constructed by Government; limitation of jurisdiction of Civil Courts	Reg.2,1877,s.5. Reg.8,1887,s.6(*1*).
Bar to jurisdiction of Civil Courts in claims arising under Reg. 8, 1887	,, s.6(*2*).

II.—BURMA.

1. Preliminary.

Act extends to whole of Burma including Shan States	Bur.Act2,1905,s.1.
Application of Act to minor canals	,, s.4.
Definitions	,, s.3.
Appointment of officers, etc., power to invest any person with powers of Collector	,, s.5.

2. Application of water for public purposes.

Power of Local Government to declare that water will be applied or used by it for purposes of canal or drainage	,, s.6.
Powers of Canal Officer after issue of such declaration	,, s.7.
Compensation:	
Invitation of claims for	,, s.8.
For what matters to be given	,, s.9.
Diminution in market-value or of annual nett profits to be considered in determining amount	,, s.9.
For what matters not to be given	,, s.9(*a*),(*b*),(*c*),(*d*).
Limitation of claims for	,, s.10.
Inquiry into claims, determination of amount; reference to Court; apportionment of compensation; making of payment; interest when allowed; service of notices; exemption from stamp-duty and fees; appeals	,, s.11.
Restriction on acquisition as against Government of certain rights relating to use of water	,, s.9.

IRRIGATION—*contd.*

II.—BURMA—*contd.*

3. Construction, maintenance, etc., of works.

Irrigation work not to be constructed on notified parts of rivers, lakes, etc., without previous sanction of Collector	Bur.Act2,1905,s.12.
Powers of Canal Officer, etc., for purposes of enquiry relating to existing or projected canal or for purposes of regulation or management of canal; power to enter upon land to prevent or repair accident to canal, etc., and to construct necessary water-courses; notice of entry, compensation for damage	,,ss.13to15,18.
Power to occupy adjacent land for depositing soil from canal, etc.	,, s.19.
Compensation for land required under Act: power (with consent of person entitled) to acquire only a right of user and to confer right to supply of water in lieu of whole or part of compensation	,, s.20.
Provision of means for crossing Government canals	,, s.22.
Procedure for obtaining labour and materials for canal on emergency; payment; compensation	,, ss.66to71.
Minor canals: definition of; record respecting; application of certain provisions of Act to; power of Government to assume control of	,, ss.3(2),4, 46to51.
Water-courses for leading water from canal:	
Power of Canal Officer to construct necessary water-courses; cost to be payable by owners or occupiers of land supplied with water: cost recoverable as land-revenue; water-course not to be altered without consent of Divisional Canal Officer	,, ss.14,16,17.
Construction, or improvement of, at request and cost of persons desiring to use canal water: recovery of cost; procedure for compulsory acquisition	,, s.21.
Of land required for the water-course and for compulsory transfer of water-course from one person to another: hearing of objection; award of compensation; recovery of all costs from applicant; putting applicant in occupation of land or water-course; conditions binding on applicant placed in occupation	,, ss.26to35.
Persons using water-course to construct suitable bridges; on failure, Canal Officer may construct and recover cost	,, s.23,s.34 (First).
Settlement of disputes as to mutual rights and liabilities of persons jointly using or interested in	,, ss.24,73.
Supply of water through water-course to person not owning same	,, s.25.
Land acquired for water-course not to be used for other purpose	,, s.34.
Wilful damage to or enlargement of outlet; recovery of cost of repair: penalty	,, s.36
When several water-courses may be converted into one	,, s.37.
Power to apply procedure for obtaining work and material for canal and drainage work to construction of	,, s.70.

4. Supply of water.

Water-supply to be subject to rules in the absence of written contract	,, s.38.
Power to stop	,, s.39(*a*).
Claim to compensation for failure, stoppage or interruption of	,, s.39(*b*),(*c*).

IRRIGATION—*contd.*

II.—BURMA—*concld.*

4. Supply of water—*contd.*

Duration of	Bur.Act2,1905,s.39(*d*).
Transfer of right to	,, s.39(*e*).
No right to, acquired by user	,, s.39(*f*).
Water-rates to be charged to occupiers of land accepting supply; determination of rates	,, s.44.
Charges for unauthorised taking, use or for waste of canal water; liability where person unauthorisedly taking, etc., cannot be ascertained; charges to be in addition to penalties	,, ss.40to43.
Water-rates and charges recoverable as land-revenue: recovery of such rates and charges, etc.	,, ss.45,80.
Provisions for recovery of water-rate (in Upper Burma); bar to jurisdiction of Civil Courts	Reg.3,1889,ss.37to46, s.53(*ix*).

5. Supplemental.

Inquiry under Act to be deemed a judicial proceeding; power of inquiring officer to summon and examine witnesses	Bur.Act2,1905,s.74.
Jurisdiction of Civil Courts in respect of claims against Government for anything done under Act	,, s.72.
Offences and penalties	,, s.75.
Compensation to person injured by offence against Act	,, s.76.
Power to arrest without warrant	,, s.78.
Making and publishing of rules; penalty for breach of rules	,, s.79.

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

1. Preliminary.

Act applicable only to districts to which extended by Local Government	Ben.Act3,1876,s.1.
Embankments, etc., dealt with by Ben. Act 3, 1876, not affected by—	
Bengal Embankment Act, 1873	,, s.4.
Bengal Embankment Act, 1882	Ben.Act2,1882,s.91.
Definitions	Ben.Act3,1876,ss.3,46.
Appointment of officers, etc.	,, s.5.

2. Application of water for public purposes.

Power of Local Government to declare that water will be applied or used by it for purposes of canal	,, s.6.
Powers of Canal Officer after issue of such declaration	,, s.7.
Compensation:	
Invitation of claims for; delivery of statement of interests, under penalty	,, ss.8to10.
For what matters to be given	,, ss.11,31.
Diminution in market-value to be considered in determining amount	,, s.11.
Where supply of drinking water deteriorated by works, new supply to be provided and no further compensation allowed.	,, s.12.

IRRIGATION—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

2. Application of water for public purposes—*contd.*

Compensation—*contd.*

Limitation of claims for	Ben. Act 3, 1876,	s.13.
Inquiry into claims, and determination of amount	,,	ss.14 to 21.
Apportionment of	,,	ss.22 to 24.
Making of payment; interest when allowed; investment of money in Government securities; Government not liable for further claims; payee's liability to others not affected	,,	ss.25 to 27, 30.
Service of notices	,,	s.32.
Abatement or enhancement of rent on interruption of water-supply	,,	ss.28, 29.
Restriction on acquisition as against Government of certain rights to supply of water	,,	s.11.

3. Construction, maintenance, etc., of works.

Powers of Canal Officer for purposes of enquiry relating to existing or projected work, or for purposes of regulation or management of canal; power to enter upon land to prevent or repair accident to canal, etc.; notice of entry; compensation for damage	,,	ss.33 to 38.
Provision of means for crossing Government canal, and of bridges, etc., to prevent drainage of adjacent lands being obstructed by canal	,,	s.39.
Village-channels for leading water from canal:		
Definition of "village-channel"	,,	s.3(2).
"Person" includes persons acting jointly	,,	s.46.
Registration of channels and ownership thereof	,,	ss.47, 54 to 56, 60 to 65.
How acquired	,,	s.48.
Construction of, with consent of owners and occupiers of land required therefor	,,	s.49.
,, without such consent, by intervention of Canal Officer	,,	ss.50 to 53.
Transfer of ownership of, to secure proper management of irrigation; admission of persons as joint owners of; compensation or rent payable to former owner	,,	ss.54 to 57.
Person acquiring, etc., channel under ss. 48 to 55 deemed owner of channel	,,	s.58.
Obligations and rights of owner of	,,	s.59.
Execution of repairs or other works in default of owner; power to disqualify channel to be medium for conveyance of canal-water, on continued default of owner	,,	s.60.
Resignation and transfer of owner's interest in	,,	ss.61, 62.
Procedure on death of owner	,,	ss.63, 64.
Interest of joint owners in channel equal, unless unequal interests registered	,,	s.65.
Supply of water through channel to person not owning same	,,	ss.66 to 71.
Land acquired for channel not to be used for other purposes without consent of Canal Officer	,,	s.72.

IRRIGATION—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

3. Construction, maintenance, etc., of works—*contd.*

Recovery of dues	Ben. Act 3, 1876,	s.73.
Settlement of differences as to mutual rights and liabilities of persons interested in channel	"	ss.87 to 89.

4. Supply of water.

Water not to be supplied from canal except on written application accepting rules made under Act; form for granting application	"	ss.74, 75, Schs. B. C.
Conditions to which such rules are subject:		
Power to stop water-supply	"	s.76(*a*).
Remission of charges, or compensation for interruption of supply	"	s.76(*b*),(*c*).
Duration of supply	"	s.76(*d*).
Transfer of right to use water	"	s.76(*e*).
Power of Canal Officer to supply water for purposes other than irrigation	"	s.77.
Water-rates:		
Determination of	"	s.78.
Liability when person using water unauthorised, or allowing water to run to waste, cannot be found	"	ss.79 to 81.
Collection of, through agents; recovery of; procedure in case of excessive distraint	"	ss.82 to 86.
Power of Canal Officer to measure land, etc.; notice; compensation for damage	"	ss.34 to 38.
Jurisdiction in suits relative to	"	s.90.

5. Supplemental.

Appeal and supervision	"	s.91.
Power of officers to summon and examine witnesses	"	s.92.
Penalties; removal of obstruction or repair of damage by convicted person; arrest; saving of prosecutions under other laws; compensation and rewards payable out of fines	"	ss.93 to 98.
Making and publication of subsidiary rules	"	s.99.

IV.—BOMBAY PRESIDENCY.

1. Preliminary.

Definitions	Bom. Act 7, 1879,	s.3.
Appointment of officers, etc.	"	s.4.
All canals not the property of others declared to belong to Government; saving of private rights, etc.; disposal of such canals	Bom. Act 5, 1879,	s.37.

2. Application of water for public purposes.

Power of Local Government to declare that water will be applied or used for purposes of canal	Bom. Act 7, 1879,	s.5.
Powers of Canal Officer after issue of such declaration	"	s.6.

IRRIGATION—*contd.*

IV.—BOMBAY PRESIDENCY—*contd.*

3. Construction, maintenance, etc., of works.

Powers of Canal Officer for purposes of inquiry relating to projected canal or to maintenance of existing canal, or for purposes of regulation or management of canal; power to enter upon land to prevent or repair accident to canal; notice of entry .	Bom. Act 7, 1879, ss. 7 to 10.
Provision of means for crossing canal, and of bridges, etc., to prevent drainage of adjacent lands being obstructed by canal .	" s. 11 (am. Bom. Act 1, 1910, s. 2).
Procedure for obtaining labour for canal on emergency . .	" ss. 58 to 60.
Water-courses for leading water from canal:	
Construction of, with consent of holder of land required therefor	" s. 16.
" without such consent, by intervention of Canal Officer	" ss. 17 to 20.
Obligations and rights of owner of	" s. 21.
Supply of water through water-course to person not owning same; power to declare such person to be joint owner of water-course, on conditions as to payment of compensation or rent, etc.	" ss. 22, 23.
Land acquired for water-course not to be used for other purposes without consent of Canal Officer	" s. 24.
Execution of repairs or other works in default of owner; recovery of cost	" s. 25.
Settlement of disputes as to mutual rights and liabilities of persons interested in	" s. 26.

4. Supply of water.

Form of application for; power of Canal Officer to supply water for purposes other than irrigation	" s. 27.
Power to stop	" s. 28.
Duration of	" s. 29.
Transfer of right to use water	" s. 30.
Payment and recovery of rent payable to owner for use of water-course	" s. 57.
Water-rates:	
Determination of; rates by whom payable	" s. 44.
Liability when person using water unauthorisedly, or allowing water to run to waste, cannot be found	" ss. 45 to 47.
Charging of rate when land derives benefit from canal by percolation, etc.	" s. 48.
Payment and recovery of	" s. 57 (am. Bom. Act 1, 1910, s. 2).
Remission of	" s. 31.
Power of Canal Officer to measure land, etc. notice of entry .	" ss. 8, 10.

5. Supplemental.

Compensation:	
In what cases payable, for damage caused by exercise of powers under Act	" s. 31.

IRRIGATION—*contd.*

IV.—BOMBAY PRESIDENCY—*concld.*

5. Supplemental—*contd.*

Compensation—*contd.*

Limitation of claims	Bom.Act7,1879,s.32.	
Claims to; summary decision of; payments when to be made	,,	ss.34to 36.
,, invitation and formal adjudication of; diminution of market-value to be considered; payment when to be made; interest when allowed on payments	,,	ss.37to41.
Abatement of land-revenue on interruption of water-supply	,,	s.42.
Abatement of rent on interruption of water-supply, and enhancement to former rate on restoration of water-supply	,,	s.43.
Penalties	,,	ss.61,62.
Removal of obstruction or repair of damage by convicted person	,,	s.63.
Arrest	,,	s.64.
Saving of prosecutions under other laws	,,	s.65.
Reward of informers	,,	s.66.
Appeal and supervision	,,	s.67.
Power of officers to summon and examine witnesses	,,	s.68.
Service of notices	,,	s.69.
Making and publication of subsidiary rules	,,	s.70.
Act not to apply to canals, etc., vested in Municipality	,,	s.71.

V.—SAMBALPUR DISTRICT (BENGAL), CENTRAL PROVINCES, N.-W. FRONTIER PROVINCE, PUNJAB AND THE UNITED PROVINCES.

A.—GENERALLY.

1. Preliminary.

Definitions	Act8,1873,ss.3,63,74.	
Appointment of officers, etc.	,,	s.4.

2. Application of water for public purposes.

Power of Local Government to declare that water will be applied or used for purposes of canal	,,	s.5.
Powers of Canal Officer after issue of such declaration	,,	s.6.
Compensation: for what matters to be given; limitation of claims; enquiry into claims and determination of amount; payments when to be made; interest when allowed on payments	,,	ss.7to10, 13.
Abatement or enhancement of rent on interruption or restoration of water-supply	,,	ss.11,12.

3. Construction, maintenance, etc., of work.

Powers of Canal Officer for purposes of enquiry relating to existing or projected canal, or for purposes of regulation or management of canal or water-supply; notice of, and compensation for, damage	,,	s.14.
Power of Divisional Canal Officer to enter upon lands to repair or prevent accident to canal; compensation	,,	s.15.

IRRIGATION—*contd.*

V.—SAMBALPUR DISTRICT (BENGAL), CENTRAL PROVINCES, N.-W. FRONTIER PROVINCE, PUNJAB AND THE UNITED PROVINCES—*contd.*

A.—GENERALLY—*contd.*

3. Construction, maintenance, etc., of work—*contd.*

Government to provide means of crossing its canals	Act 8, 1873,	s.17.
Execution, on application, of works for supplying water from canal; recovery of cost of works	,,	s.16.
Construction or repair of works for passing water across roads, etc., when water supplied from canal; recovery of cost when work undertaken by Canal Officer	,,	s.18.
Adjustment of claims between persons jointly supplied with water; recovery of sums ordered to be paid	,,	s.19.
Supply of water through intervening water-course	,,	s.20.
Construction of new water-course through land of another owner, and transfer of water-course from one owner to another; compensation to be paid; recovery of compensation and expenses; conditions binding on person placed in occupation	,,	ss.21 to 29.
Ss. 21 to 29 to apply also to occupation of land for extension or alteration of water-course or for deposit of soil from water-course clearances	,,	s.30.
Settlement of differences as to mutual rights and liabilities of persons interested in water-course	,,	s.68.
Procedure for obtaining labour for canal on emergency	,,	ss.63 to 66.

4. Supply of water.

In absence of written contract, water-supply to be subject to rules made under Act	,,	s.31.
Conditions to which contracts and such rules are subject:		
Power to stop water-supply	,,	s.32(*a*).
Remission of charges, or compensation, for interruption of supply	,,	s.32(*b*),(*c*).
Duration of supply	,,	s.32(*d*).
Sale or sub-letting of right to use water	,,	s.32(*e*).
No right acquired by user; Government not bound to supply water except under written contract	,,	s.32(*f*).
Water-rates:		
Occupier's rate; fixing of	,,	s.36.
Owner's rate; fixing of	,,	s.37.
,, ,, limit to	,,	s.38.
,, ,, not chargeable during currency of assessment when land temporarily assessed to pay land-revenue at irrigation rates	,,	s.39.
,, when to be paid by owner	Act 8, 1873,	s.42 (rep. in N.-W. Fr. and Punjab, Act 16, 1887).
,, apportionment of	,,	s.41 (rep. in N.-W. Fr. and Punjab, Act 16, 1887).
Payment of both rates by occupier	,,	s.40 (rep. in N.-W. Fr. and Punjab, Act 16, 1887).

IRRIGATION—*contd.*

V.—SAMBALPUR DISTRICT (BENGAL), CENTRAL PROVINCES, N.-W. FRONTIER PROVINCE, PUNJAB AND THE UNITED PROVINCES—*contd.*

A.—GENERALLY—*concld.*

4. Supply of water—*contd.*

Water-rates—*contd.*

Rates by whom payable when charged on land held by joint owners	Act 8, 1873, s. 44.
Liability when person using water unauthorizedly, or allowing water to run to waste, cannot be found	,, ss. 33 to 35.
Not to be levied while rate imposed under the Peshawar Canals Regulation, 1898, is in force	Reg. 4, 1898, s. 8A (ins. Reg. 2, 1903).
Recovery of; collection of, through agent, lambardar, etc.	Act 8, 1873, ss. 45 to 48.
Power of Canal Officer to measure land, etc., notice; compensation for damage	,, s. 14.
Effect of introduction of canal-irrigation on landlord's right to enhance rent	,, s. 43 (rep. in N.-W. Fr. and Punjab, Act 16, 1887).

5. Supplemental.

Jurisdiction of Civil Courts	,, s. 67.
Power of officers to summon and examine witnesses	,, s. 69.
Penalties	,, s. 70.
Saving of prosecutions under other laws	,, s. 71.
Compensation payable out of fines	,, s. 72.
Arrest without warrant	,, s. 73.
Making and publication of subsidiary rules	,, s. 75.
Supersession of parts of Act 8, 1873, in parts of the N.-W. Frontier Province and the Punjab. *See* below. B. 1.	
Act 8, 1873, not to apply to any canal included in Sch. I, or Sch. II to the Punjab Minor Canals Act of 1905	Pun. Act 3, 1905, s. 2(3).

B.—N.-W. FRONTIER PROVINCE AND PUNJAB (under the Peshawar Canals Regulation, 1898).

1. Preliminary.

Reg. 4, 1898, extends to the Peshawar District, and may be extended to certain other parts of the N.-W. Frontier Province and certain parts of the Punjab	Reg. 4, 1898, s. 1.
Reg. 4, 1898, to prevail over inconsistent parts of Act 8, 1873	,, s. 2.
Definitions	,, s. 3, 4, Sch.

2. Construction of private canals.

Power to permit construction, on application	Reg. 4, 1898, s. 5.
Power, when permission not obtained,—	
to prohibit continued construction	,, s. 6.
to close canal, shut off water, and prohibit construction or renewal of work or use of water	,, s. 7.
Bar to compensation under s. 6 or 7	,, ss. 6(2), ,, s. 7(2).
Penalties for breach of order under s. 6 or 7	,, s. 21.

IRRIGATION—*contd.*

V.—SAMBALPUR DISTRICT (BENGAL), CENTRAL PROVINCES, N.-W. FRONTIER PROVINCE, PUNJAB AND THE UNITED PROVINCES—*contd.*

B.—N.-W. FRONTIER PROVINCE AND PUNJAB (under the Peshawar Canals Regulation, 1898) —*contd.*

3. Management of canals.

Scheduled canals: supply of unpaid labour for maintenance of; penalty	Reg.4,1898,ss.8,21.
" " rate for recovery of cost of establishment for control and management of: imposition, assessment, recovery and application of rate; while this rate in force, occupier's rate and owner's rate not to be levied under Act 8, 1873	" s.8A(ins. Reg.2,1903).
" " construction or repair of— bridges on	" ss.9,11.
works for passing water of, across road, canal or drainage-channel	" ss.10,11.
" " power of Collector to carry out works on, to remedy or prevent damage in emergent cases; recovery of cost	" s.12.
" " power of Collector to settle disputes as to use of water, or use, construction or maintenance of water-course	" s.13.
" " authority to Collector to exercise all powers of control, management and direction for maintenance and working of canal or distribution of water	" s.14.
" " acquisition of land for; apportionment of compensation	" s.15.
All canals: power of Local Government to regulate mills; penalty	" ss.16,21.
" power of Canal Officer to regulate outlets for supply of water to water-course; recovery of cost	" s.17.
" power of Collector to take immediate possession of land for urgent works; compensation	" s.18.
Power of Local Government to suspend or extinguish any right in or over scheduled canal or over mill; compensation	" s.23.
Power of Local Government to charge special rate for water obtained without authority	" s.24.
Preparation or revision of records of customs and rights; effect of records; supply of information required for records; application of Act 17, 1887, Ch. IV	" s.19.

4. Supplemental.

Power of Local Government to make rules	" s.20.
Court to give notice to Collector in certain suits; Secretary of State in Council when to be made a party	" s.22.
Bar to legal proceedings for things done under Regulation	" s.25.
Control by Local Government and Commissioner over officers acting under Regulation	" s.26.

Punjab. *See also below,* C.

IRRIGATION—*contd.*

V.—SAMBALPUR DISTRICT (BENGAL), CENTRAL PROVINCES, N.-W. FRONTIER PROVINCE, PUNJAB AND THE UNITED PROVINCES—*contd.*

C.—PUNJAB (under the Punjab Minor Canals Act of 1905).

1. Preliminary.

Pun. Act 3, 1905, applies to canals specified in Schs. I and II to Act	Pun.Act3,1905,s.2(*1*).
Power to include canals in Sch. I or Sch II, or transfer canals from one Sch. to the other, or exclude any canal from either Schedule	,, s.2(*2*).
Act 8, 1873, not to apply to any canal for the time being included in Sch. I, or Sch. II to Pun. Act 3, 1905	,, s.2(*3*).
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2. Construction of canals.

Prohibition of construction, without permission, of canal to be fed from notified source of water-supply	,, s.4.
Application for such permission	,, ss.5,6(*3*).
Power, when permission not obtained,—	
to prohibit continued construction	,, s.7(*1*).
to close canal, shut off water, and prohibit maintenance, repair or renewing of canal or use of water	,, s.7(*2*).
Power of Collector to construct canal to be fed from notified source of water-supply	,, s.6.

3. Water-dues.

Power of Local Government to assess and levy water-dues in respect of canals; limitation of assessment	,, s.8.

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4. Control over canals.

(*a*) CANALS INCLUDED IN SCHEDULE I.

Authority to Collector—	
to exercise all powers of control, management and discretion for maintenance and working of canal or distribution of water, or	,, s.10(*1*).
to stop supply of water where water-course, sluice or outlet is not properly maintained or is subjected to wilful damage or wrongful enlargement	
Bar to compensation where order passed under s. 10 (*1*), except in certain cases; remission in certain cases of ordinary charges for use of water	,, s.10(*2*).
Right to use of water not acquirable under the Indian Limitation Act, 1908	
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IRRIGATION—*contd.*

V.—SAMBALPUR DISTRICT (BENGAL), CENTRAL PROVINCES, N.-W. FRONTIER PROVINCE, PUNJAB AND THE UNITED PROVINCES—*contd.*

C.—PUNJAB (under the Punjab Minor Canals Act of 1905)—*contd.*

4. Control over canals—*contd.*

(*a*) CANALS INCLUDED IN SCHEDULE I—*contd.*

Power of Collector to enter adjacent land to make repairs or prevent accidents ; compensation for damage	Pun.Act3,1905,s.13.	
Power of Collector to occupy adjacent land to deposit excavated soil or to make excavations ; compensation ; right of owner to require permanent acquisition of land	,,	s.14.
Power of Collector to cause canal water to be supplied through intervening water-course ; payments to be made by applicant	,,	s.15.
Construction of water-course on application ; payment of costs and compensation by applicant ; conditions binding on applicant	,,	ss.16,17,19 to21.
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(*b*) CANALS INCLUDED IN SCHEDULE II.

Power of Collector to declare or appoint a manager of a canal	,,	s.34.
Power of Local Government to apply section 28 (records) to a canal	,,	s.35.
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IRRIGATION—*contd.*

V.—SAMBALPUR DISTRICT (BENGAL), CENTRAL PROVINCES, N.-W. FRONTIER PROVINCE, PUNJAB AND THE UNITED PROVINCES—*concld.*

C.—PUNJAB (under the Punjab Minor Canals Act of 1905)—*concld.*

4. Control over canals—*concld.*

(*c*) CANALS INCLUDED IN EITHER SCHEDULE I OR SCHEDULE II.

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„ „ „ 1881 . . 44-5V.c.3.
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„ Act 5, ss. 109 to 112, Sch., 10, 45.

1. Constitution. 2. Jurisdiction and Procedure.

[1] This short title was given by 59 & 60 Vict. c. 14.

JUDICIAL COMMITTEE—*contd.*

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Allowance to two retired Indian or Colonial Judges, or to Judge	3-4W.4,c.41,s.30. 50-IV.c.70,s.4.
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(1) *Generally.*

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[1] These sections are indexed because they are published in the Collection of Statutes relating to India.

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[1] This short title was given by Act I, 1903.

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„ „ (MINES) ACT, 1885. } Act18,1885.

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LAND (INDIAN LAW).

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,, Act 10, ss. 4, 5 (Jurisdiction of Civil Courts, Bombay).
,, Bom. Act 2, ss. 24 to 29 (Land-revenue, City of Bombay).
1877. Reg. 2, ss. 4 to 7, 26 (Land and Revenue, Ajmere).
1879. Bom. Act 5, ss. 37 to 39, 60 to 79, 82, 88, 89, 126 to 135, 216 (Land-revenue, Bombay Presidency).
1885. Act 18 (Land-acquisition—Mines)
1886. Reg. 1, ss. 4 to 15 (Land and Revenue, Assam).
1887. Act 17, ss. 34, 39 (Land-revenue, Punjab and North-West Frontier).
1887. Reg. 12, s. 16 (Precious Stones, Upper Burma).
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,, Reg. 1, s. 3 (Laws, Angul).
1898. Act 13, s. 4 (Laws, Burma).
,, Bom. Act 4, ss. 47 to 50 (Improvement, Bombay City).
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1903. Act 7 (Works of Defence).
,, U. P. Act 2 (Alienation of Land, Bundelkhand).
,, Bom. Act 4 (Land, Record-of-Rights).
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A.—GENERALLY.

1. Right to hold Land.
2. Compulsory Acquisition of Land.
3. Compulsory Imposition of Restrictions on enjoyment of Land.
4. Miscellaneous.

B.—AJMERE.
ANDAMANS.
C.—ASSAM.
D.—BOMBAY PRESIDENCY.
E.—LOWER BURMA.
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LAND (INDIAN LAW)—*contd.*

A.—GENERALLY.

1. Right to hold Land.

Act 4, 1837, declared in force—
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2. Compulsory Acquisition of Land.

(*a*) PRELIMINARY.

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Act 18, 1885 [Land Acquisition (Mines)]—
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Definitions . . . . . Act1,1894,s.3.

(*b*) INVESTIGATION AND ACQUISITION.

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LAND (INDIAN LAW)—*contd.*

A.—GENERALLY—*contd.*

2. **Compulsory Acquisition of Land**—*contd.*

(b) INVESTIGATION AND ACQUISITION—*contd.*

Procedure for acquiring land—*contd.*

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(c) TEMPORARY OCCUPATION OF LAND.

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LAND (INDIAN LAW)—*contd.*

A.—GENERALLY—*contd.*

2. Compulsory Acquisition of Land—*contd.*

(*d*) MISCELLANEOUS PROVISIONS—*contd.*

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Application of Act I, 1894, to acquisition of land under Bom. City Improvement Act, 1898 . . . . . Bom.Act4,1898,ss.47to 50.

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3. Compulsory Imposition of Restrictions on enjoyment of Land.

(*a*) PRELIMINARY.

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(*b*) IMPOSITION OF RESTRICTIONS.

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Procedure for imposing restrictions :

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Preliminary proceedings ; power to enter on, survey, etc., land ; payment of damage . . . . . ,, ss.4,5.

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Power to enter on land, remove buildings, etc., and level and clear land . . . . . ,, s.6.

Collector to prepare plan of land and issue notice to persons interested . . . . . ,, ss.8,9.

Power to require any person interested to state names of other persons interested . . . . . ,, ss.10,11.

Collector ; inquiry and award of compensation . . . . Act7,1903,ss.12,13,14,17.

LAND (INDIAN LAW)—*contd.*

A.—GENERALLY—*contd.*

3. Compulsory Imposition of Restrictions on enjoyment of Land—*contd.*

(*b*) IMPOSITION OF RESTRICTIONS—*contd.*

Procedure for imposing restrictions—*contd.*

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(*c*) MISCELLANEOUS PROVISIONS.

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4. Miscellaneous.

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B.—AJMERE.

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ANDAMANS.

See ANDAMAN AND NICOBAR ISLANDS.

LAND (INDIAN LAW)—*contd.*

C.—ASSAM.

Rights which alone may be acquired over land	Reg.1,1886,s.6.
Saving of existing rights of proprietors	,, s.7.
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Power to make rules for disposal of Government land, and for allotment, etc., of grounds therein for grazing and for use of persons practising migratory cultivation; bar to acquisition of rights not given by such rules	,, ss.12to15.
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D.—BOMBAY PRESIDENCY.

(*a*) Generally.

Certain suits as to land to be brought in Civil Courts and not in Revenue Courts. *See* Civil Courts, VI, A, 4.	
Bar to jurisdiction of Civil Courts in certain cases relating to land	Act10,1876,ss.4,5.

(*b*) Elsewhere than in City of Bombay.

All public roads, etc., and all lands not the property of others, declared to belong to Government; saving of private rights, etc.; disposal of such lands; limitation of suits to set aside Collector's order	Bom.Act5,1879,ss.37,135.
Power to assign Government lands for free pasturage of village-cattle, for forest-reserves or for other public or municipal purposes; regulation of use of free pasturage	,, ss.38,39.
Written permission required before taking up unoccupied land	,, s.60.
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Penalties for unauthorised occupation of land	,, ss.61,214(*f*).
Power to require payment for, or sell, and to annex conditions to, occupancy-right, before granting permission to occupy land; special rules as to alluvial land	,, ss.62to64.
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LAND (INDIAN LAW)—*contd.*

D.—BOMBAY PRESIDENCY—*contd.*

(*b*) ELSEWHERE THAN IN CITY OF BOMBAY—*contd.*

Villages, towns and cities:		
Power to determine what lands are included in, and to vary limits of	Bom. Act 5, 1879,	s.126.
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Occupancy-price to be paid in certain cases for non-agricultural land in town or city in addition to land-revenue	,,	s.130.
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Entry in record or register, etc., not to affect liability to pay land-revenue	,,	s.13.
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LAND (INDIAN LAW)—*contd.*

D.—BOMBAY PRESIDENCY—*concld.*

(*b*) ELSEWHERE THAN IN CITY OF BOMBAY—*concld.*

Aden:

Power to make rules regarding occupation, transfer, registration, acquisition, etc., of land, etc. . . . . Reg.7,1900,s.10.

Sindh—

Bom. Act 3, 1899, application of . . . . . Bom.Act3,1899,s.3.

Grant of occupancies of lands on certain conditions . . ,, ss.4,5,6 (sub. Bom.Act1, 1908,s.2),7 (am.Bom.Act 1,1908,s.3).

Transfer of rights of occupancy or sale or attachment in execution . . . . . ,, s.8.

Recovery of sum due to Government as land-revenue . . ,, s.9.

Application of Act to certain occupancies granted before commencement . . . . . s.10(rep.pt.Bom.Act1, 1908,s.4).

Saving of validity of certain grants . . . . . Bom.Act1,1908,s.5.

(*c*) CITY OF BOMBAY.

All unoccupied lands declared to belong to Government, subject to rights of the public; disposal of such lands . . . Bom.Act2,1876,ss.24,25.

Powers where encroachment made on Government land . . ,, ss.26to23,

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E.—LOWER BURMA.

Rights which alone may be acquired over land . . . . Act2,1876,s.6. Bur.Act4,1902,s.82.

Status of landholder how acquired; nature of his rights; forfeiture of status by neglect to assert it or by relinquishment of land . . . . . Act2,1876,ss.7to11.

Temporary transfer of land to Revenue-officer, on petition of *land-holders*; recovery of possession, subject to rights of occupant . . . . . ,, ss.12to14.

Declaration and record of original acquisition of landholder's *status*; cancellation of such declaration; Civil Courts to decide questions as to landholder's status in accordance with such declaration, or with decision of Revenue-officer . . ,, ss.15to17.

Power to make rules for disposal and temporary occupation of Government land, and for allotment, etc., of grounds therein for grazing and for use of persons practising toungya cultivation; bar to acquisition of rights not given by such rules . ,, ss.18to22.

Ss. 6 to 22A of Act 2, 1876, not to apply to certain lands; power to define boundaries of such lands . . . . . ,, ss.4,5.

Right of Government to work mines, etc., belonging to it and to assign such right; compensation for occupation or disturbance of surface on exercise of such right . . . . . ,, s.38A.

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Alienations of land, permanent or temporary, to be reported to Revenue-officer; penalty for failure to report . . . ,, ss.22A.

LAND (INDIAN LAW)—*contd.*

E.—LOWER BURMA—*contd.*

Appeals from and revision of orders	Act2,1876,s.54.	
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Powers conferable on Revenue-officers	,,	s.56.
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Power to define boundaries of towns and villages	,,	s.5.
Rights which alone may be acquired over land in towns and villages	,,	ss.4(*10*)6.
Landholder's right defined; how acquired; special provisions for acquisition of such right in Akyab, Bassein and Prome	,,	ss.6to9.
Effect of including land within limits of town or village; rights acquired or mode of acquiring rights over, unaffected	,,	s.10.
Ss. 6 to 10 of Bur. Act 4, 1898, not to apply to certain lands	,,	s.3(*1*),(*2*),(*3*).
Landholder's rights lost by abandonment of land	,,	s.11.
Declaration and record of original acquisition of landholder's rights; cancellation of such declaration and record; Civil Courts to decide questions as to landholder's right in accordance with such declaration, or with decision of Revenue-officer	,,	ss.12to15.
Land at the disposal of Government, defined	,,	s.4(*2*).
,, ,, ,, ,, how disposed of; power of Local Government to make rules for disposal of	,,	ss.16,17.
Ss. 16,17 of Bur. Act 4, 1898, not to apply to cantonment lands.	,,	s.3(*1*).
State land: eviction from: compensation	,,	ss.18,21.
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Right of Government to work mines, etc., belonging to it and to assign such rights; compensation for occupation or disturbance of surface in exercise of such right	,,	s.23A.
Record of town lands to be kept in scheduled and notified towns; particulars to be entered: transfers or devolutions of title or acquisition of possession to be reported to Revenue-officer; penalty for failure to report in certain cases: inquiry by Revenue-officer and alteration of record: record to be presumptive evidence of possession	,,	ss.27to35.
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Bar of suit against Revenue-officer for things done under Bur. Act 4, 1898	,,	s.45.

LAND (INDIAN LAW)—*contd.*

F.—UPPER BURMA.

"State Land;" definition of	Reg.3,1889,s.23.
" " cognizance of claims to, or to interest in; limitation	" s.24.
" " incidents of tenure of; rent; power of ejectment	" s.25.
" " power to make rules for disposal and temporary occupation of State land, and for allotment, etc., of grazing grounds thereon; bar to acquisition of rights not given by such rules	" s.26.
" " recovery of rent for	" ss.37to46.
" " bar to jurisdiction of Civil Courts in matters relating to	" s.53.
Right of Government to precious stones, mines, minerals, coal and earth-oil; power to assign such right; compensation for occupation or disturbance of surface in exercise of such right	" s.31.

G.—COORG.

Definition of "land"	Reg.1,1899,s.3(3).
All lands and water not the property of others declared to belong to the Government; power of Commissioner to dispose of same	" s.42.
Power to evict persons from such land or water	" s.43.
Relinquishment of holdings by landholders; eviction of trespassers after such relinquishment	" s.44.
Prohibition of alienation of lands the land-revenue of which has been assigned or released; power to evict alienees	" s.45.
Procedure for eviction of persons wrongfully in possession of land	" s.46,Sch. II.
Rights of Government in mines, minerals, quarries, earth-oil, gold washings and sandal-wood trees	" s.47.
Power to make rules for carrying out purposes of Reg. 1, 1899.	" s.143(f).

H.—MADRAS PRESIDENCY.

Land, etc., when to be deemed to belong to Government; lands claimed by escheat, etc., not subject to Act until reduced into possession by Government.	Mad.Act3,1905,ss.2,16.
Unauthorized occupation of Government land; liability to assessment; penalty; eviction; forfeiture of crops, etc.; procedure; rules	" ss.3to8.
Assessment or penalty recoverable as arrears of land-revenue	" s.9.
Appeal: limitation	" ss.10to12.
Right of suit; limitation	" s.14.
Saving of operation of other laws	" s.13.
Validation of past assessments	" s.15.

I.—N.-W. FRONTIER AND PUNJAB.

Certain transfers and successions to interest in land to be reported to Revenue-officers; penalty for failure	Act17,1887,ss.34,39. Act13,1900,s.18.

LAND (INDIAN LAW)—*contd.*

I.—N.-W. FRONTIER AMD PUNJAB—*contd.*

Definitions	Act13,1900,s.2(am.in Punj.P.Act1, 1907,s.2).
Restrictions on power of members of agricultural tribe to alienate land ; instruments contravening, or invalid under, Act not to be registered	,, ss.3to15 (am.inPunj., P.Act1,1907, ss.4to8),17.
Land belonging to member of agricultural tribe not to be sold in execution of decree of Civil or Revenue Court ; exceptions	,, s.16.
Execution of certain decrees against member of agricultural tribe to be transferred to Deputy Commissioner ; powers of Deputy Commissioner	,, s.21A(add. Punj.Act1,1907, s.9).
Exercise of powers of Deputy Commissioner	,, s.23.
Application of certain provisions of Act 17, 1887	,, s.19.
Legal practitioners not to appear in proceedings under Act.	,, s.20.
Bar to jurisdiction of Civil Court	,, s.21.
Power to exempt area, person or class of persons from provisions of Act	,, s.24.
Power to make rules	,, s.25.

See also LAND PRESERVATION (*below*).

J.—PUNJAB.

P. Act 1, 1902, extends to Sind-Sagar Doab	P.Act1,1902,s.1(2)(am. P.Act2,1904, s.2).
Definitions	,, ss.1(2)(am. P.Act 2,1904,s.2),2.
Agreement to surrender to Government rights in land from date of beginning excavation of permanent flow canal from Indus in the Sind-Sagar Doab on consideration of receiving in return similar rights in one-fourth the quantity of land after construction of canal under prescribed conditions	,, ss.3to5.
Proclamation requiring persons to notify claim or objection, decision or claim or objection ; execution of agreement	,, s.6.
Agreement exempted from Stamp or Registration law	,, s.9.
Agreement by two-thirds of land-owners binding on the rest	,, s.7.
Agreement on behalf of wards of Court—minors, lunatics, persons out of possession, purda women	,, s.8.
Agreement to have effect against certain persons	,, s.10.
Land to vest in Government free from incumbrances on restoration of substituted land ; power to declare encumbrances to attach to substituted land	,, s.11(2), ss.11A,11B, (add.P.Act2, 1904,s.3).
Right of Government to land acquired under Act not to be questioned in Civil or Revenue Court	,, s.11(1).
Enforcement of agreements under Act	,, s.12.
Application of provisions of Act 17, 1887, Ch. II	,, s.13.
Validation of prior agreements for surrender	,, s.14,(sub.P. Act2,1904,s.4).
Power of Financial Commissioner to make rules	,, s.16
Bar to suit against public servant for things done in good faith under Act	,, s.15.

LAND (INDIAN LAW)—*contd.*

K.—UNITED PROVINCES.

Certain transfers and successions to interest in land to be reported to Revenue-officers: disabilities and penalty for failure . U.P.Act3,1901,ss.34,38. U.P.Act2,1903,s.18.

U. P. Act 2, 1903, extends to Banda, Hamirpur, Jhansi and Jalaun Districts and to Meja, Bara and Karchana Sub-divisions of Allahabad District; power to exempt any area, person or class of persons from provisions of Act . . . . . ,, ss.1,23.

Definitions . . . . . ,, s.2.

Restrictions on power of members of agricultural tribe to alienate land . . . . . ,, ss.3to15.

Land belonging to member of agricultural tribe not to be sold in execution of decree of Civil or Revenue Court: exceptions . ,, s.16.

Execution of mortgage-decree against member of agricultural tribe to be transferred to Collector: powers of Collector. . ,, s.17.

Exercise of powers of Collector . . . . . ,, s.19.

Application of certain provisions of U. P. Act 3, 1901 . . ,, s.20.

Legal practitioners not to appear in proceedings under Act . ,, s.21.

Bar to jurisdiction of Civil Court . . . . . ,, s.22.

Power to make rules . . . . . ,, s.24.

LANDHOLDER.

Definitions of. *See* WORDS AND PHRASES.

Act 2, 1853, declared in force—

throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.

in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

in the Arakan Hill District . . . . . Reg.9,1874,s.3.

in Upper Burma generally (except the Shan States) . . Act13,1898,s.4,Sch.I.

None exempted from public charges, or assessments or duties, by reason of place of birth or of descent . . . . . Act2,1853.

Ben. Reg. 1, 1801, s. 10, and Act 20, 1848, declared in force—

throughout Bengal, except as regards the Scheduled Districts . Act15,1874,s.6.

in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

Ben. Reg. 12, 1817, declared in force in Santhál Parganas . .

Attendance of, before Revenue-authorities. *See* ATTENDANCE.

Prosecution of, for connivance at offence . . . . (Cuttack)Ben.Reg.13,1805.

Not to interfere in matters coming within jurisdiction of Courts. *See* COURT.

Management of estates of, by Court of Wards. *See* COURT OF WARDS.

LANDHOLDERS' PUBLIC CHARGES AND DUTIES ACT, 1853 (*See* LANDHOLDER) . . . . . Act2,1853.

LANDING AND WHARFAGE FEES ACT (BOMBAY), 1882 *See* CUSTOMS, SEA; PORT, II, A) . . . . . Bom.Act7,1882.

LANDING-PLACES.

Regulation of. *See* PORT, II; PORT COMMISSIONERS OR TRUSTEES, I; II TO VIII, *sub-heading* 3.

LANDLORD defined. *See* WORDS AND PHRASES

LANDLORD AND TENANT PROCEDURE ACT, 1869 (*See* LANDLORD AND TENANT, II) . . . . . Ben. Act 8, 1869.

LANDLORD AND TENANT.

1793. [1] Ben. Reg. 8, ss. 49 to 55, 64, 65 (Leases; Rent: Bengal and Assam).
1802. Mad. Reg. 25, s. 14 (Rent).
1812. Ben. Reg. 5, ss. 2 to 4, 26, 72 (Leases; Managers; Cesses: Bengal).
„ Ben. Reg. 18, ss. 2, 3 (2) (Leases, Bengal).
1814. Ben. Reg. 29, ss. 2 to 5 (Ghatwals, Bengal).
1819. Ben. Reg. 8 (Patni taluqs; Leases; Sale for arrears: Bengal and Assam).
1820. Ben. Reg. 1 (Sale for arrears, Bengal and Assam).
1822. Mad. Reg. 4 (Suits).
1839. Act 7, ss. 2, 3, 5, 6 (Arrears, Madras Presidency).
1850. Act 25 (Sale for arrears, Bengal and Assam).
1853. Act 6 (Sales and suits for arrears, Bengal and Assam).
1859. Act 5 (Ghatwals, Bengal).
„ Act 10 (General, Bengal).
1862. Ben. Act 6 (General, Bengal).
„ Bom. Act 5 (Bhagdari and Narwadari Tenures).
1864. Mad. Act 2, ss. 11, 35, 64 (Recovery of revenue).
1865. [1] Ben. Act 8 (Sale for arrears, Bengal and Assam).
„ Bom. Act 1, s. 38 (Khots).
1867. Ben. Act 4 (Appeals, Bengal).
1869. Ben. Act 2 (Bhuinhari and Majhahas Tenures, Chota Nagpur).
„ Ben. Act 8 (Agricultural Tenancies, Assam).
1872. Reg. 3, ss. 3, 5, 18, 20 to 22, 26 (Santhál Parganas).
1874. Act 15, s. 4 (Laws Local Extent).
1876. Act 10, ss. 1, 4, 5 (Suits in Civil Courts, Bombay).
„ Act 18, ss. 25, 26, 39 (*g*) (Laws, Oudh).
1877. Reg. 1, s. 29 (Record of evidence, Ajmere).
„ Reg. 2, ss. 41 to 56 (Land and Revenue, Ajmere).
1879. Ben. Act 8 (Settlement-officers' Powers, Bengal).
„ Bom. Act 5, ss. 58, 59, 83 to 94, 117 (General).
1880. Bom. Act 1 (Khots).
1885. Act 7, s. 2 (Panch Mahals).
„ Act 8 (Agricultural Tenancies, Bengal).
1886. Act 22 (Agricultural Tenancies, Oudh).
„ Reg. 2 (Santhál Parganas).
1887. Act 16 (Agricultural Tenancies, Punjab).
„ Act 17, ss. 110 to 135, 158 (Land-revenue, Punjab).
„ Reg. 13 (Agricultural Tenancies; Hazara District, Punjab).
1890. Act 20, ss. 54, 63 (Agricultural Tenancies, United Provinces.
1893. Act 3 (Government Tenancies, Punjab).
1895. Ben. Act 3, ss. 20, 28 to 32, 36 (Landlord's fee on transfer; Recovery of expenses of survey and record-of-rights: Bengal).
1896. Mad. Act 1 (Malabar and South East Wynaad).
1898. Act 11 (Landlord and Tenant, Central Provinces), Ben. Act 3 (Tenancy, amendment).
1899. Reg. 1, ss. 70, 94 (Land-revenue, Coorg).
1900. Act 13, s. 2A (Land Alienation, Punjab).
„ Mad. Act 1 (Compensation, Landlord and Tenant, Malabar).
1901. Reg. 7, ss. 3, 6 (Laws, N.-W. Fr.).
„ U. P. Act 2, (Tenancy, Agra).
„ U. P. Act 3, ss. 36, 56, 79, 87, 88 to 91, 100, 101, 104, 128, 138, 186, 187, 234 (Land revenue).
1903. Bom. Act 4, ss. 12, 17 (Land, Record-of-rights).
„ Ben. Act 1 (Tenancy, Validation).
1904. Act 7, s. 8 (Ancient Monuments).
1904. Reg. 3 (Tenancy, Hazara).
1908. Act 5, ss. 4, 5 (Civil Procedure).
„ Mad. Act 1 (Estates, Land).
„ Ben. Act 6 (Tenancy, Chota Nagpur).

[1] Ben. Reg. 8, 1793, has been declared in force in the districts of Sylhet and Goalpara (excluding the Eastern Drars), and Ben. Act 8, 1865, in the district of Sylhet, by notification under the Scheduled Districts Act, 1874.

LANDLORD AND TENANT—*contd.*

GENERALLY.

I.—AJMERE.

II.—ASSAM
- A.—UNDER THE LANDLORD AND TENANT PROCEDURE ACT, 1869.
  - 1. Preliminary.
  - 2. Rights, Powers and Obligations of Landlords and Tenants.
    - (*a*) *Engagements.*
    - (*b*) *Rents.*
    - (*c*) *Miscellaneous.*
  - 3. Jurisdiction and Procedure.
- B.—UNDER OTHER ENACTMENTS.

III.—BENGAL. EXCEPT SAMBALPUR DISTRICT.
- A.—UNDER THE BENGAL TENANCY ACT, 1885.
  - 1. Preliminary.
  - 2. Status of tenants, and General Rights, Powers and Obligations of Landlords and Tenants.
  - 3. Rent.
  - 4. Records and Settlement of Rents.
  - 5. Miscellaneous Provisions.
  - 6. Jurisdiction and Procedure.
  - 7. Supplemental.
- B.—UNDER OTHER ENACTMENTS.

IV.—EASTERN BENGAL AND ASSAM
- A.—EASTERN BENGAL.
  - 1. Preliminary.
  - 2. Status of Tenants, and General Rights, Powers and Obligations of Landlords and Tenants.
  - 3. Rent.
  - 4. Records and Settlement of Rents.
  - 5. Miscellaneous Provisions.
  - 6. Jurisdiction and Procedure.
  - 7. Supplemental.
- B.—EASTERN BENGAL AND ASSAM.

V.—BOMBAY PRESIDENCY
- 1. Generally.
- 2. Khoti land.
- 3. Bhagdari and Narwadari Tenures.

VI.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT OF BENGAL.
- 1. Preliminary.
- 2. Status of Tenants and Rights, Powers and Obligations of Landlords and Tenants.
  - (*a*) *Generally.*
  - (*b*) *Absolute occupancy-tenants.*
  - (*c*) *Occupancy-tenants.*
  - (*d*) *Village-service-tenants.*
  - (*e*) *Sub-tenants.*
  - (*f*) *Ordinary tenants.*
- 3 Jurisdiction and Procedure.
- 4 Miscellaneous.

VII.—COORG.

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY . . .
- A. MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS).
  - 1. Preliminary.
  - 2. Status of Tenants and Rights, Powers and Obligations of Landholders and Tenants.
    - (*a*) *Generally.*
    - (*b*) *Rent.*
    - (*c*) *Ejectment and Relinquishment.*
    - (*d*) *Compensation for Tenants' Improvements (Malabar District).*
    - (*e*) *Miscellaneous.*
  - 3. Jurisdiction and Procedure.
  - 4. Miscellaneous.
- B.—CITY OF MADRAS.

IX.—PROVINCE OF AGRA . .
- 1. Preliminary.
- 2. Status of Tenants, and General Rights, Powers and Obligations of Landholders and Tenants.
- 3. Rent.
- 4. Record-of-rights.
- 5. Miscellaneous Provisions.
- 6. Jurisdiction and Procedure.
- 7. Supplemental.

X.—OUDH . . .
- 1. Preliminary.
- 2. Rights, Powers and Liabilities of Landlords, Under-proprietors and Tenants.
- 3. Jurisdiction and Procedure.
- 4. Miscellaneous.

XI.—PUNJAB AND N.-W. FRONTIER PROVINCE.
- A.—ORDINARY TENANCIES.
  - 1. Preliminary.
  - 2. Right of Occupancy.
  - 3. Rent.
    - (*a*) *Generally.*
    - (*b*) *Enhancement and Reduction of Rents.*
    - (*c*) *Other Alterations of Rents.*
  - 4. Cessation of Tenancy.
  - 5. Improvements and Compensation.
  - 6. Jurisdiction and Procedure.
  - 7. Miscellaneous.
- B.—GOVERNMENT TENANCIES.

GENERALLY.

Code of Civil Procedure not to affect laws passed by Local Councils prescribing special procedure for suits between landholders and their tenants or agents . . . . . — Act 5, 1908, s. 4.

Power of Local Government to modify Code of Civil Procedure in its application to Revenue Courts . . . . . — " s. 5.

I.—AJMERE.

Definition of "ex-proprietary tenants"; such tenants to have right of occupancy at favourable rate . . . . . — Reg. 2, 1877, s. 41.

Fixing of rent of ex-proprietary tenant or other occupancy-tenant by Revenue-officer; enhancement or abatement by Revenue-officer of rent so fixed . . . . . — " ss. 42 to 46

LANDLORD AND TENANT—*contd.*

I.—AJMERE—*contd.*

Changes from money rent to rent in kind, and *vice versâ*	Reg.2,1877,s.47.
Division of crop by Revenue-officer, to determine rent payable; suit lies where error made in division	„ ss.48,49.
Estimating of standing crop by Revenue-officer, to determine rent payable; suit lies only on ground that estimate was made in bad faith	„ ss.50,51.
Ejectment of tenants generally; compensation to be paid for improvements	„ ss.52to55.
Relinquishment by tenant-at-will	„ s.56.
Mode of recording evidence in suits between landlord and tenant	Reg.1,1877,s.29(am.Reg.1, 1910).

See also ISTIMRARDAR.

II.—ASSAM.

A.—UNDER THE LANDLORD AND TENANT PROCEDURE ACT, 1869.

1. Preliminary.

Local extent of Ben. Act 8, 1869	Ben.Act8,1869,s.106.
Repeal; pending suits	„ ss.107, 108.
Definition of "Collector	„ s.1.

2. Rights, Powers and Obligations of Landlords and Tenants.

(*a*) *Engagements.*

Raiyat entitled to patta	„ ss.2to5,81.
Term of patta	„ s.9.
Landlord entitled to counterpart of patta	„ s.10.
Grant of patta or counterpart by Court after decree, in default of defendant	„ ss.55,56.

(*b*) *Rent.*

Rate of, payable by raiyat in certain cases	„ ss.3to5.8.
Receipts to be given for	„ s.11.
Damages for exactions in excess of	„ s.11.
„ extorting payment of, by duress	„ s.13.
Enhancement of	„ ss.14to18.
Abatement of	„ s.19.
Arrear of:	
Definition	„ s.21.
Ejectment for non-payment of	„ s.22.
Cancellation of farmers' lease	„ s.23.
Deposit of, in Court	„ ss.46,47,Schs. A,B.

See also below, 2.

(*c*) *Miscellaneous.*

Right of occupancy when acquired	„ ss.6,7.
Withdrawal of landlord's power to compel attendance of tenant	„ s.12.
Relinquishment by raiyat	„ s.20.

LANDLORD AND TENANT—*contd.*

II.—ASSAM—*contd.*

A.—UNDER THE LANDLORD AND TENANT PROCEDURE ACT, 1869—*contd.*

2. Rights, Powers and Obligations of Landlords and Tenants—*contd.*

(*c*) *Miscellaneous*—contd.

Measurement of lands	Ben. Act 8, 1869,	ss. 25, 37 to 41.
Registry of transfers of, and successions to, taluq or tenures intermediate between the zamindar and the cultivator	,,	s. 26.

3. Jurisdiction and Procedure.

Suits to be cognizable by Civil Courts	,,	s. 33.
In what Court suit to be instituted	,,	ss. 35, 36.
Jurisdiction of Small Cause Courts not extended by Act	,,	s. 104.
Application of Code of Civil Procedure	,,	s. 34.
Naib or gumashta deemed recognized agent for purposes of s. 37 of Code of Civil Procedure	,,	s. 32.
Suits may be brought by or against sarbarahkars or tahsildars of estates held khas	,,	s. 24.
Limitation of suits	,,	ss. 27 to 31.
Register of suits	,,	s. 42.
Form of plaint in suit for arrears of rent	,,	s. 43.
Power, in suit for rent, to award—		
damages to plaintiff	,,	s. 44.
compensation to defendant	,,	s. 45.
Payment into Court by defendant, after action brought	,,	ss. 48, 49.
Mesne profits may be claimed in suit for recovery of land	,,	s. 51.
Suits for ejectment or cancellation of lease	,,	ss. 52 to 54.
In suit for arrears of rent, no warrant of arrest to be issued before judgment	,,	s. 50.
Process not to issue simultaneously against person and property	,,	s. 57.
Time within which process must issue after judgment	,,	s. 58.
Power of Court to issue process free of charge	,,	s. 105.
When judgment-creditor may apply for execution against immoveable property	,,	s. 65.
Provisions as to sale of under-tenure in execution of decree for arrear of rent	,,	ss. 59 to 64, 66, 67.
Distress and sale for arrear of rent	,,	ss. 68 to 101, Sch. C.
Bar to appeal from District Judge in certain cases	,,	s. 102.
Limitation of applications for review of judgment	,,	s. 103.

B.—UNDER OTHER ENACTMENTS.

Restrictions on enhancement of rent of istimrardars	Ben. Reg. 8, 1793,	ss. 49, 50.
Restrictions on enhancement of rent of dependant taluqdars; penalty for illegal enhancement	,,	s. 51.
Power of proprietor to let lands; engagements to be specific, and in writing; abwabs, etc., to be consolidated; no new abwabs, etc., to be imposed; penalties	,,	ss. 52 to 55.
Adjustment of instalments for payment of rent	,,	s. 64.
Bar to engagements made contrary to Ben. Reg. 8, 1793	,,	s. 65.

See also below IV, B.

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT).

A.—UNDER THE BENGAL TENANCY ACT, 1885.

1. Preliminary.

Act 8, 1885, extends to the whole of Bengal except Calcutta, Orissa, the Scheduled Districts and notified municipalities	Act8,1885,s.1(3)(am.Ben. Act1,1907,s.3).
Power to extend Act 8, 1885, to Orissa ; certain enactments repealed there on such extension	,, ss.1(3),2(2).
Definitions	,, ss.3,5,20,41, 47,76,160, 161(ss.3,161am. Ben.Act 1,1907,ss.4,51).

2. Status of Tenants and General Rights, Powers and Obligations of Landlords and Tenants.

Classes of tenants	s.4.
Meaning of "tenure-holder" and "raiyat"	s.5.
(1) Tenure-holder :	
Restrictions on enhancement of rent of	,, ss.6to9.
,, ejectment of permanent tenure-holder	,, s.10.
Transfer and transmission of permanent tenure :	
Right to transfer and bequeath	,, s.11.
Voluntary transfer to be registered ; fee and notice to be sent to landlord	,, s.12(am.Ben.Act Act1,1907,s.5).
Transfer by sale in execution of decree other than decree for rent, or by foreclosure ; fee and notice to be sent to landlord	,, s.13(am.Ben.Act1, 1907,s.6).
On succession, notice to be given to Collector and landlord's fee paid	,, ss.15,16(am.Ben. Act1,1907,ss.6,7).
Payment of such fee to Registrar of Mutations	Ben.Act3,1895,s.20.
Application of ss. 11 to 16 of Act 8, 1885, to shares	Act8,1885,s.17.
Validation of transfers where landlord's fee not paid	Ben.Act1,1903,ss.1,3.
Realization of landlord's fees	,, s.2.
(2) Raiyat holding at rate fixed in perpetuity :	
Restrictions on ejectment of	Act8,1885,s.18(b).
Application of ss. 11 to 16 to transfer of, and succession to, holding of	,, s.18(a).
Payment to Registrar of Mutations of landlord's fee under Ben. Act 8, 1885, s. 18	Ben.Act3,1895,s.20.
(2a) Transfers of tenures and holdings :	
Instruments in which landlord is not a party not to be evidence against him as to incidents of tenancy	Act8,1885, s.18A. (ins. Ben.Act1, 1907,s.8).
Acceptance of landlord's fee not to operate as an admission as to incidents of tenancy, or as a consent to division of tenancy or distribution of rent	,, s.18B (ins. Ben.Act1, 1907,s.8).
Forfeiture of landlord's fees to Government, when unclaimed for three years	,, s.18C (ins. Ben.Act1, 1907,s.8).
(3) Occupancy-raiyat	
Continuance of existing occupancy-rights	19(1).

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

2. Status of Tenants and General Rights, Powers and Obligations of Landlords and Tenants—*contd.*

(3) Occupancy-raiyat—*contd.*

Exclusion of municipalities from operation of Act 8, 1885, or inclusion of areas within Calcutta Municipality, not to affect prior rights or liabilities	Act 8, 1885, s. 19(2) (ins. Ben. Act 1, 1907, s. 9).
Settled raiyat; definition of	,, s. 20.
,, ,, to have occupancy-rights	,, s. 21.
Effect of acquisition of occupancy-right by landlord	,, s. 22 (am. Ben. Act 1, 1907, s. 10).
Rights of, as to use of land	,, s. 23.
Obligation of, to pay rent at fair rate	,, s. 24.
Restrictions on ejectment of	,, s. 25.
Devolution or extinction of occupancy-right on death of	,, s. 26.
Restrictions on enhancement of rent of	,, ss. 27 to 37.
Reduction of money-rent paid by	,, s. 38.
Price-lists: preparation, revision and publication of; reference to be made to, in proceedings for enhancement or reduction of rent on ground of rise or fall in prices	,, s. 39.
Commutation of rent payable in kind, etc.	,, s. 40 (am. Ben. Act 1, 1907, s. 11.
Period for which commuted rents are to remain unaltered	,, s. 40A (ins. Ben. Act 1, 1907, s. 12).
Ch. V (ss. 19 to 40A) not to apply to: (*a*) lands acquired under the Land Acquisition Act for the Government or a Local Authority or a Railway Company, or (*b*) Government lands in a cantonment, or (*c*) proprietors' private land held under lease	,, s. 116 (am. Ben. Act 1, 1907, s. 40).

(4) Non-occupancy raiyat:

Definition of	,, s. 41.
Initial rent of	,, s. 42.
Restrictions on enhancement of rent of	,, s. 43.
,, ejectment of	,, ss. 44, 46.
Meaning of "admitted to occupation"	,, s. 47.
Ch. VI (ss. 41 to 47) not to apply to— (*i*) lands acquired under the Land Acquisition Act for the Government or a Local Authority or a Railway Company or (*ii*) Government lands in a cantonment, or (*iii*) proprietors' private land held under lease, or	,, s. 116 (am. Ben. Act 1, 1907, s. 40).
(*iv*) raiyats holding land under the custom of utbandi	,, s. 180(2).

(5) Under-raiyat:

Limit of rent recoverable from	s. 48.
Restrictions on ejectment of	s. 49.

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

3. Rent.

Rules and presumptions as to fixity of rent; exception . . . Act 8, 1885, ss. 50, 115.
Presumption as to amount of . . . . . ,, s. 51.
Alteration of, on alienation in area . . . . . ,, s. 52 (Ben. Act I, 1907, s. 13).
Payment of, in instalments . . . . . ,, s. 53.
Time and place for payment of . . . . . ,, s. 54.
Appropriation of payments of . . . . . ,, s. 55.
Receipts and accounts:
Landlord to give receipt and retain counterfoil . . . ,, s. 56, Sch. II.
Presumption of full payment when receipt does not contain prescribed particulars . . . . . ,, s. 56(4).
Tenant entitled to full discharge or statement of account at close of year; landlord to retain counterfoil . . . ,, s. 57, Sch. II.
Penalty for withholding receipt or statement of account or failing to retain counterpart; compensation; appeal; procuring evidence . . . . . ,, s. 58 (am. Ben. Act I, 1907, s. 14).
Forms of, to be kept for sale . . . . . ,, s. 59.
Effect of receipt given by proprietor, manager or mortgagee registered under Ben. Act 7, 1876 . . . . . ,, s. 60.
Deposit of rent:
Application to deposit rent in Court . . . . . ,, s. 61.
Receipt given by Court to be a valid acquittance . . . ,, s. 62.
Notification of receipt of deposit . . . . . ,, s. 63.
Payment or refund of deposit by Court . . . . . ,, s. 64.
Bar to suits against Government . . . . . ,, s. 64(4).
Produce-rents:
Division or appraisement of produce:
Power to order officer to make; order under s. 69 (3) no bar to execution . . . . . ,, s. 69 (am. Ben. Act I, 1907, s. 16).
Procedure for, where officer appointed . . . . . ,, s. 70.
Rights and liabilities as to possession of crop . . . ,, s. 71.
Change of landlord or tenant:
Liability for rent on change of landlord . . . . . ,, s. 72.
,, ,, ,, after transfer of occupancy-holding . . ,, s. 73.
Illegal cesses, etc.:
Prohibition of abwab and other cesses levied in addition to rent . . . . . ,, s. 74.
Penalty for exaction by landlord of sum in excess of rent or interest payable . . . . . ,, s. 75 (am. Ben. Act I, 1907, s. 17).
In temporarily-settled districts:
Enhancement of rent on expiration of settlement . . . ,, s. 191.
Alteration of rent in case of new assessment of land-revenue . ,, s. 192 (am. Ben. Act I, 1907, s. 60).
Arrears of:
Rent when deemed to be in arrear . . . . . ,, s. 54(3).

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

3. Rent—*contd.*

Arrears of—*contd.*

Permanent tenure-holder, raiyat at fixed rates and occupancy-raiyat not liable to ejectment for arrear, but tenure or holding liable to sale; rent a first charge on tenure or holding	Act 8, 1885, s.65.
Ejectment of other tenants for arrear	,, s.66.
Interest on	,, s.67 (am. Ben. Act 1, 1907, s.15).
Power to award damages on rent withheld without reasonable cause or when defendant improperly used	,, s.68.

Distraint:

Cases in which application may be made to Civil Court for distraint; products which may be distrained	,, s.121.
Form of application for; procedure on receipt of application	,, ss.122, 123.
Execution of order for	,, ss.124, 125.
Right to reap, etc., produce	,, s.126.
Sale of property	,, ss.127-135.
Procedure where demand is paid before sale; deduction from rent where under-tenant pays	,, ss.136, 137.
Conflict of rights of superior and inferior landlords	,, s.138.
Procedure where property distrained is under attachment	,, s.139.
Appeals barred, but suit may be brought for compensation for wrongful distraint	,, s.140.
Power of Local Government to authorise distraint without application to Civil Court; procedure in making such distraints	,, s.141.
Power of High Court to make rules of procedure	,, s.142.

Sale under decree for recovery of:

Passing of tenure or holding sold in execution of decree	Acts. 158B (ins. Ben. Act 1, 1907, s.50).
General powers of purchaser as to avoidance of incumbrances; definition of "protected interests," "incumbrance," "registered and notified incumbrance" "arrears" and "arrears of rent"	,, ss.159 to 161 (s. 161 am. Ben. Act 1, 1907, s.51).
Application for sale; order of attachment and proclamation of sale	,, ss.162, 163.

Sale of tenure or holding—

subject to registered and notified incumbrances	,, ss.164, 168 (s.168 am. Ben. Act 1, 1907, s.52).
with power to avoid all incumbrances	,, ss.165, 166.
Incumbrances; procedure for annulling	,, s.167.
,, registration of	,, s.175.
,, notification of, by registering-officer to landlord	,, s.176.
,, power to create, not extended by Act	,, s.177.
Disposal of sale-proceeds	,, s.169 (am. Ben. Act 1, 1907, s.53).

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

3. Rent—*contd.*

Distraint—*contd.*

Release from attachment, on payment or confession of satisfaction	Act8,1885,s.170(am.Ben. Act1,1907,s.54).
Payments into Court to prevent sale: amount paid when deemed a mortgage-debt; deduction of amount from rent	,, ss.171,172.
Decree-holder may bid at sale; judgment-debtor may not	,, s.173.
Application by judgment-debtor to set aside sale	,, s.174(am.Ben. Act1,1907,s.55).
Recovery of, under the certificate procedure	,, s.158A(ins.Ben. Act1,1907,s.49).

See also above, 2, *and below*, 4. 5.

4. Records, and Settlement of Rents.

Record-of-rights and settlement of rents:

Record-of-rights—

Power to order survey and preparation of record-of-rights; particulars to be recorded	,, ss.101,102(am. Ben.Act1,1907, ss.19,20).
Power to order survey and preparation of record-of-rights as to water	,, s.102A(ins.Ben. Act1,1907,s.21).
Power of Revenue-officer to record particulars or application of proprietor, tenure-holder or large proportion of raiyats	,, s.103.
Preliminary publication, amendment and final publication of record	,, s.103A(ins.Ben. Act1,1907,s.21).
Certificate of and presumption as to final publication: notification of final publication; presumption as to correctness of record	,, s.103B(am.Ben. Act1,1907,s.22).

Settlement of rents, preparation of settlement rent-roll, and disposal of objections, in cases when a settlement of land-revenue *is being or is about to be made*:

Settlement of rents and preparation of settlement rent-roll: when to be undertaken; procedure	,, ss.104,104A(s. 104am.Ben.Act 1,1907,s.24).
Table of rates; preparation, contents, publication, amendment, confirmation, effect and application of	,, ss.104A(*c*).104B to104D.
Settlement Rent Roll: preliminary publication, amendment and confirmation of	,, ss.104E,104F.
,, ,, ,, incorporation of, with record-of-rights	,, s.104F(*3*)
Appeal to, and revision by, superior Revenue-authorities	,, s.104G.
Jurisdiction of Civil Courts in matters relating to rent	,, s.104H(am. Ben.Act1,1907, s.25).
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Settlement of rents and decision of disputes in cases when a settlement of land-revenue *is not being made or is not about to be made*:

Settlement of rents when to be undertaken; decision of questions arising; institution of suit; procedure.	,, ss.105to107(ss. 105,106,107am.,s. 105A.ins.Ben.Act 1,1907,ss.24,26to 28).
,, ,, revision by Revenue-officer	,, s.108(am.Ben. Act1,1907,s.29).

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

4. Records, and Settlement of Rents—*contd.*

Record-of-rights and settlement of rents—*contd.*

Record-of-rights—*contd.*

Settlement of rents and decision of disputes in case when a settlement of land-revenue *is not being made or is not about to be made*—contd.

Settlement of rents; bar to jurisdiction of Civil Courts	Act8,1885,s.109(am. Ben.Act1, 1907,s.31).
,, ,, appeals from decisions of Revenue-officers	,, s.109A(am. Ben.Act1, 1907,s.32).
Correction by Revenue-officer of mistakes in record-of-rights	,, s.108A(ins.Ben. Act1,1907,s.30).
Power of Revenue-officer to presume that agreements or compromises are lawful	,, s.109B(ins.Ben. Act1,1907,s.33).
Power of Revenue-officer to settle rents on agreement	,, s.109C(ins.Ben. Act1,1907,s.33).
Note of decisions on record	,, s.109D(ins.Ben. Act1,1907,s.33).
Date from which settled record takes effect	,, s.110.
Stay of proceedings in Civil Courts during preparation of record-of-rights	,, s.111(am.Ben. Act1,1907,s.34).
Limitation of jurisdiction of Civil Courts in matters, other than rent, relating to record-of-right	,, s.111A.
Stay of suits in which certain issues arise	,, s.111B(ins.Ben. Act1,1907,s.35).
Power to authorize special settlement in special cases	,, s.112(am.Ben. Act1,1907,s.36).
Period for which rents as settled are to remain unaltered	,, s.113.
Payment of landlords, tenants and occupants of expenses of proceedings	,, s.114(am.Ben. Act1,1907,s.37).
Alternative procedure for recovering expenses; recovery from successors in interest; power to make rules as to distribution of expenses	Ben.Act3,1895,ss.28to32, 36(*c*).
Validation of records published under Act 8, 1885, s. 105, before commencement of Ben. Act 3, 1898	Ben.Act3,1898,s.8.
Effect of settlements of rent and decisions by Revenue-officers made before commencement of Ben. Act 3, 1898	,, s.9.
Demarcation of village-boundaries	Act5,1885,s.115A(ins.Ben. Act1,1907,s.38).
Record of proprietor's private lands:	
Power to order survey and record of proprietor's private lands	,, s.117.
Power to ascertain and record whether land is proprietor's private land, on application of proprietor or tenant	,, s.118.
Application of ss. 103A, 103B, 106 to 109 and 109A	,, s.119
Rules for determining what land is proprietor's private land	,, s.120(am.Ben. Act1,1907,s.41).

5. Miscellaneous Provisions.

Presumption as to conditions under which tenant holds	,, s.51.
Power of Court, on application, to determine incidents of tenancy	,, s.158(am.Ben. Act1,1907,s.48).

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

5. Miscellaneous Provisions—*contd.*

Limitation in suits, appeals and applications; Indian Limitation Act, how far applicable	Act 8, 1885, ss. 184, 185, Sch. III (Sch. III, am. Ben. Act 1, 1907, s. 61).	
Improvements:		
Definition of	,,	s. 76.
Right to make	,,	ss. 77 to 79.
By landlord; registration of	,,	s. 80.
,, enhancement for	,,	s. 33.
Record of evidence as to, on application	,,	s. 81.
By raiyat; compensation for	,,	ss. 82, 83.
Compulsory acquisition of tenant's holding by landlord for purposes of building, etc.	,,	s. 84.
Sub-letting; restrictions on	,,	s. 85.
Surrender of holding	,,	s. 86.
Abandonment of holding	,,	s. 87.
Sub-division of tenure or holding, or distribution of rent, not binding on landlord without his consent	,,	s. 88 (am. Ben. Act 1, 1907, s. 18).
Acceptance of landlord's fee does not operate as a consent under s. 88	,,	s. 18B (*b*) (ins. Ben. Act 1, 1907, s. 8).
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Measurements:		
Landlord's right to measure land	,,	s. 90.
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Standard of measurement	,,	s. 92.
Managers:		
Compulsory appointment of common manager by or for co-owners	,,	ss. 93 to 95.
Power of Local Government to nominate person to be such manager for all estates and tenures in a local area	,,	s. 96.
Remuneration, duties, powers and removal of such manager; power of High Court to make rules as to powers and duties	,,	ss. 98, 100.
Court of Wards may be appointed such manager; application of Ben. Act 9, 1879	,,	ss. 95, 97.
Power to restore management to co-owners	,,	s. 99.
Contract and custom:		
Restrictions on exclusion of Act by agreement	,,	s. 178 (am. Ben. Act 1, 1907, s. 56).
Saving of right of proprietor or of holder of permanent tenure in permanently settled area to grant permanent mukarrari lease on any terms agreed on	,,	s. 179.
Restriction on aquisition of right of occupancy in utbandi, chur or dearah lands; pending such acquisition, rent to be according to agreement, power of Collector to declare that land has ceased to be chur or dearah	,,	s. 180.
Act not to affect incidents or ghatwali or other service-tenures.	,,	s. 181.

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

5. Miscellaneous Provisions—*concld.*

Contract and custom—*contd.*

Homestead : incidents of tenancy of, to be regulated by custom	Act8, 1885,	s. 182.
General saving of customs not inconsistent with Act	,,	s.183.
Power of Court to fix fair rent as alternative to ejectment of trespasser	,,	s.157.
Provisions as to suits for recovery of arrears of rent to apply to suits for recovery of sums payable for right of pasturage, forest-rights, rights over fisheries, etc.	,,	s.193.
Tenant not enabled by Act to violate conditions binding on landlord	,,	s.194.

6. Jurisdiction and Procedure.

What Civil Court has jurisdiction in suits and applications	,,	s.144.
Power of High Court to modify Code of Civil Procedure in its application to suits between landlord and tenant	,,	s.143.
Naibs or gumashtas to be recognised agents of landlord	,,	s.145.
Special register of suits	,,	s.146.
Successive rent-suits	,,	s.147.
Compromise of suits between landlord and tenant	,,	s.147A(ins.Ben. Act1,1907,s.42).
Civil Court to have regard to entries in record-of-rights	,,	s.147B(ins.Ben. Act1,1907,s.42).
Procedure in rent-suits	,,	s.148(am.Ben. Act1,1907,s.43).
Suit for arrears of rent by co-sharer landlords	,,	s.148A(ins.Ben. Act1,1907,s.44).
Payment into Court of money admitted to be due	,,	ss.149to152(ss. 149,150,rep.pt.Ben.Act1, 1907,s.45).
Appeals in rent-suits	,,	s.153(am.Ben. Act1,1907,s.46).
Deposit on application to set aside *ex parte* decree or for review	,,	s.153A(ins.Ben. Act1,1907,s.47).
Date from which decree for enhancement takes effect	,,	s.154.
Relief against forfeitures	,,	s.155.
Rights of ejected tenant in respect of crops and land prepared for sowing	,,	s.156.
Power of Court to fix fair rent as alternative to ejectment of trespasser	,,	s.157.

7. Supplemental.

Penalties for illegal interference with produce	,,	s.186.
Damages for denial of landlord's title	,,	s.186A(ins.Ben. Act1,1907,s.57).
Power for landlord to act through agent	,,	s.187.
Joint landlords to act collectively or by common agent	,,	s.188.

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

7. Supplemental—*contd.*

Procedure in suit by joint landlords	Act8,1885,s.188A(ins.Ben. Act1,1907,s.58).
Power of Local Government to make rules as to procedure, powers of officers, forms, service of notices and landlord's fees	„ s.189(amBen. Act1,1907,s.59).
Procedure for making, publication and confirmation of rules	„ s.190.
Saving of special enactments	„ s.195.
„ power for Bengal Council to amend Act 8, 1885	„ s.196.

B.—UNDER OTHER ENACTMENTS.

Restrictions on enhancement of rent of istimrardars	Ben.Reg.8,1793,ss.49,50.
Restrictions on enhancement of rent of dependant taluqdars; penalty for illegal enhancement	„ s.51.
Power of proprietor to let lands; engagements to be specific, and in writing; abwabs, etc., to be consolidated; no new abwabs, etc., to be imposed; penalties	„ ss.52to55.
Adjustment of instalments for payment of rent	„ s.64.
Bar to engagements made contrary to Ben. Reg. 8, 1793	„ s.65.
Proprietors of land empowered to grant leases, but not beyond the term of their own interest or in excess of their authority	Ben.Reg.5,1812, ss.2,3. Ben.Reg.18,1812,s.2.
Prohibition of arbitrary or indefinite cesses	Ben.Reg.5,1812,s.3.
Bar to annulment of leases on attachment or sale	„ s.4.
Appointment and removal of managers of joint undivided estates	„ ss.26,27.
Leases not affected by division, transfer, etc., of estate	Ben.Reg.18,1812, s.3(2).
Ben. Reg. 8, 1793, ss. 51 to 55, 64, 65, Ben. Reg. 5, 1812, ss. 2, 3, 4, 26, 27, and Ben. Reg. 18, 1812, ss. 2, 3—	
repealed throughout Bengal, except in territories to which Act 8, 1885, does not by its own operation extend	Act8,1885,s.2(*1*).
(so far as inconsistent with Act 8, 1885) to be repealed in Orissa on extension of Act 8, 1885, thereto	„ s.2(*2*).
Penalty for falsification of accounts by native agents of proprietors or farmers	Ben.Reg.12,1817,ss.27,30.
General provisions	[1]Act10,1859. [1]Ben.Act6,1862.
Appeals	[1]Ben.Act4,1867.
Fixing of rents in settlement-proceedings	[1]Ben.Act8,1879.
Act 10 of 1859 and Ben. Acts 6 of 1862, 4 of 1867 and 8 of 1879, repealed throughout Bengal, except in territories to which Act 8, 1885, does not of its own operation extend	Act8,1885,s.2(*1*).
Parts of Act 10 of 1859 and Ben. Acts 6 of 1862, 4 of 1867 and 8 of 1879, which are inconsistent with Act 8, 1885, repealed in Orissa on extension of latter Act thereto	Act8,1885,s.2(*2*).

[1] Act 10 of 1859 has been largely superseded in Orissa by the extension thereto of parts of Act 8 of 1885. Act 10 of 1859 and Ben. Acts 6 of 1862, 4 of 1867 and 8 of 1879 are now in force to so small an extent that it is considered unnecessary to index them in detail.

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

B.—UNDER OTHER ENACTMENTS—*contd.*

Act 10 of 1859, and Ben. Acts 6 of 1862 and 4 of 1867, repealed in the Scheduled District of Chota Nagpur, except the district of Manbhum and the Tributary Mahals	Ben.Act1,1879,ss.1,3, Sch.A.
Ben. Acts 1 of 1879, 8 of 1879, 4 of 1897, 5 of 1903 and 5 of 1905 repealed in Chota Nagpur Division except Scheduled District of Manbhum	Ben.Act6,1908,s.2(*1*).
Act 10 of 1859 and Ben. Acts 6 of 1862, 4 of 1867 and 8 of 1879 to be repealed in Manbhum district (wholly or in part as the case may be) on extension of Ben. Act 1, 1908, thereto	,, s.2(*2*).
Patni taluq :	
Definition	Ben.Reg.8,1819,s.1.
Declared valid, transferable and answerable for debt	,, s.3(*1*).
Not voidable for arrears ; sale for arrears	,, s.3(*3*).
Right to underlet	,, ss.3(*2*), 4.
On transfer of, landlord entitled to receive fee and to demand security from transferee	,, ss.5to7.
Validation of leases fixing rent in perpetuity or for more than ten years ; saving of liability to cancellation on sale of estate for arrears of revenue	,, s.2.
Periodical sales of tenures at instance of zamindar, where the right to sell for arrears of rent was reserved by the lease creating the tenure :	
Zamindar's right to apply for sale	,, s.8.
Procedure for conducting sale	Ben.Reg.8,1819,ss.9,10.
Deposits made under Ben. Reg. 8, 1819, s. 9 : if forfeited, to be applied to defray expenses of sale, balance being credited to Government	Act25,1850.
Purchaser bound by agreement under ss. 4, 5 of Ancient Monuments Preservation Act, 1904, executed by holder of tenure for the time being	Act7,1904,s.8.
Avoidance of incumbrances	Ben.Reg.8,1819,ss.11,12.
Staying of sale by payment into Court ; sale not to be stayed unless payment made	,, ss.13,14.
Delivery to purchaser of certificate of sale and order for possession	,, s.15(*1*).
Procedure in case of opposition to purchaser in obtaining possession	,, s.15(*2*),(*3*).
Disposal of proceeds of sale	,, s.17.
Ben. Reg. 8, 1819, applied to other sales for arrears of rent at instance of zamindar ; notice to be given of sale	Ben.Reg.1,1820.
Sales for arrears of rent, or suits relating to arrears of rent :	
By whom to be conducted or heard, where lands situate in different Collectorates	Act6,1853,ss.1to3.
Powers of independent Deputy Collector in reference to	,, ss.4to7.
Publication of notices	,, s.8.
Sale of patni taluqs and other under-tenures for arrears of rent :	
Sale to be conducted by Collector ; powers of Judge withdrawn	Ben.Act8,1865,s.3.
Procedure for conducting sale in execution of decree	,, ss.4,5.

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

B.—UNDER OTHER ENACTMENTS—*contd.*

Sale of patni taluqs and other under-tenures for arrears of rent —*contd.*

Sale to be stopped on deposit of payment; application of Ben. Reg. 8, 1819, s. 13 . . . . . Ben. Act 8, 1865, s. 6.

Sale to be to highest bidder . . . . . „ s. 7.

Payment of purchase-money; re-sale on default . . . „ ss. 8 to 10.

Certificate and possession to be given to purchaser . . „ s. 11, Sch.

Disposal of proceeds of sale . . . . . „ s. 12.

Appeal and revision . . . . . „ ss. 13 to 15.

Avoidance of incumbrances . . . . . „ s. 16.

Purchaser to apply to landholder for registration and to execute kabuliyat . . . . . „ s. 17.

Sections 3 to 11, 16 and 17 of Ben. Act 8, 1865, applied to sales in Chota Nagpur . . . . . Ben. Act 6, 1908, s. 208.

Position of tenants when estate sold for arrears of revenue under Act 11, 1859. *See* LAND-REVENUE, III, 4.

Registration of interests of landlord and tenant. *See* REGISTRATION OF LAND, I.

Ghatwali Mahals, Beerbhoom:

Ghatwals not liable to enhancement of rent so long as they punctually pay same and fulfil other obligations of their tenure . . . . . Ben. Reg. 29, 1814, s. 2.

Rents to be paid to public officer; difference between rent and Government revenue to be made over to zamindar of Beerbhoom . . . . . „ ss. 3, 4.

Sale, etc., of tenure for arrears . . . . . „ s. 5.

Power of ghatwals to grant leases . . . . . Act 5, 1859.

Chota Nagpur:

Preliminary:

Ben. Act 6, 1908, extends to Chota Nagpur Division except the district of Manbhum and notified municipalities: power to extend Act to Manbhum . . . . . Ben. Act 6, 1908, s. 1.

Definitions . . . . . „ ss. 3-8, 17, 58, 118.

Status of tenants and general rights, power and obligations of landlords and tenants:

Classes of tenants: meaning of 'tenure-holder,' 'raiyat' and 'mumdari khuntkathidar' . . . . . „ ss. 4, 8.

(1) Tenure-holder:

Certain tenure-holders and bhuinhars not liable to enhancement of rent . . . . . „ ss. 9, 10.

Transfer by succession, inheritance, sale, gift, etc., of tenure or part, to be registered in landlord's office: landlord's fee; landlord to allow registration; procedure on refusal of landlord: sub-division not binding on landlord unless made with written consent . . . . . „ ss. 11, 12, 13.

Resumable tenure; resumption of; annulment of incumbrances on; savings . . . . . „ ss. 14, 15.

Ejectment of, for arrear of rent in certain cases . . . „ s. 59.

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

B.—UNDER OTHER ENACTMENTS—*contd.*

Chota Nagpur—*contd.*

Status of tenants and general rights, power and obligations of landlords and tenants—*contd.*

Classes of tenants—*concld.*

(2) Occupancy-raiyats :

Continuance of existing occupancy-rights	Ben. Act 6, 1908,	s.16.
Settled raiyat, meaning of; to have occupancy-right; bhuinhars and mumdari khuntkathidars to be deemed settled raiyats in certain cases	,,	ss.17,18,19.
Acquisition of occupancy-rights in land converted into korkar	,,	s.67.
Effect of acquisition of occupancy-right by landlord	,,	s.20.
Rights of, as to use of land	,,	s.21.
Obligation of, to pay fair rent; presumption that rent paid by, is fair	,,	ss.24,25.
Transfer of occupancy-holdings and bhuinhari tenures	,,	s.49.
Restrictions on ejectment of	,,	s.22.
Devolution of occupancy-right on death of	,,	s.23.
Enhancement of rent of; procedure: power to direct gradual enhancement	,,	ss.26,30,62.
,, ,, made prior to Act, confirmed in certain cases	,,	s.26.
Increase of rent of, in respect of excess area	,,	ss.31-33.
Reduction of rent	,,	s.35.
Bar to further enhancement or reduction of rent	,,	s.36.
Provisions of Act to apply to raiyats having khuntkathi rights: modifications	,,	s.37.
Bar to acquisition of occupancy-rights in landlord's privileged lands and certain other lands	,,	s.43.
,, ,, ,, ,, ,, by transferee of certain bhuinhari lands	,,	s.48(*b*).

(3) Non-occupancy-raiyats :

Rent and conditions of tenancy of, to be governed by contract	,,	s.38.
Effect of acquisition of right by landlord	,,	s.39.
Enhancement of rent of	,,	s.40.
Ejectment of	,,	ss.41,42.
Provisions of sections 38-42 not to apply to landlord's privileged lands and certain other lands	,,	s.43.

(4) Mundari khuntkathidars :

modifications of Act in application to	,,	s.239.
tenancy of; restrictions on transfer and execution-sale of	,,	ss.240,241.
ejectment of person obtaining possession under unlawful transfer of	,,	s.242.
enhancement of rent of	,,	s.243.
arrears of rent due from, recovered only by certificate procedure in certain cases	,,	ss.244,245,247, 248.
,, ,, ,, how recovered in other cases	,,	ss.246,247,248.
one of several joint paying arrears of rent due from co-tenants entitled to recover under certificate procedure in certain cases	,,	s 249.

LANDLORD AND TENANT—*contd.*

III.—BENGAL—*contd.*

B.—UNDER OTHER ENACTMENTS—*contd.*

General rights, powers and obligations of landlord and tenant :		
Right of raiyats to receive a lease : contents of lease	Ben. Act 6, 1908,	s.44.
Restrictions on raiyat's right to transfer holding	,,	s.46.
Restriction on sale of raiyats' right in holding in execution of decree	,,	s.47.
Restrictions as to transfer and execution sale to apply to certain bhuinhari lands	,,	s.48.
Transfer of occupancy-holdings and bhuinhari tenures	,,	s.49.
Landlord's right to counterpart of lease	,,	s.45.
Landlord's right to acquire land for certain purposes	,,	s.50.
Tenant paying rent in good faith and without notice of transfer not liable to transferee of landlord	,,	s.51.
Rent :		
Payable ordinarily—quarterly instalments	,,	s.52.
Method of payment of ; tenants entitled to receipt in prescribed form ; complaint on refusal to grant receipt ; compensation for false or vexatious complaint	,,	ss.53,54.
Deposit of, in Court : procedure on, and effect of	,,	ss.55,56,57.
Illegal exaction of rent, etc., penalty for	,,	s.63.
Commutation of rent in kind, payable by tenure-holder or occupancy-raiyat ; commuted rent to remain unaltered for fifteen years except in certain cases	,,	ss.61,62.
of occupancy-holding entered in record-of-rights not to be altered for certain periods	,,	s.94.
Arrears of rent : defined : to be first charge on tenancy	,,	s.58,60.
ejectment of certain tenure-holders for	,,	s.59.
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sale in execution of decree for :		
sale of tenure or holding ; application of ss. 12 to 15 of Ben. Act 8, 1865	,,	ss.208,209.
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recovery by certificate procedure in case of certain mumdari khuntkathidari tenancies	,,	s.244.
paid by one of several joint mumdari khuntkathidars recoverable from co-tenants by certificate procedure in certain cases	,,	s.249.
Record-of-rights and settlement of rents—		
Power to order survey and preparation of record-of-rights : suspension of suits and civil proceedings for certain purposes		ss.80,91.
Particulars to be recorded	,,	s.81.
Survey and record-of-rights regarding use or passage of water	,,	s.82.
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Settlement of fair rents ; decision of issues arising therein ; suit before Revenue-officer and procedure therein ; provisions as to appeal and revision ; settled rents and decisions (including decisions as to predial conditions) to be entered in record-of-rights ; correction of mistakes in record ; settlements when to take effect	,,	ss.85-90, 93 (*2*),97,112.

LANDLORD AND TENANT—*contd.*

III.—BENGAL—*contd.*

B—UNDER OTHER ENACTMENTS—*contd.*

Record-of-rights and settlement of rents—*contd.*

Power of Local Government to order revision of record-of-rights and new settlement of rents : enhancement of rent	Ben. Act 6, 1908,	ss.98, 99.
Bar to jurisdiction of Courts in matters relating to record-of-rights	,,	s.92.
Suspension of suits or civil proceedings relating to certain issues for six months on final publication of record-of-rights	,,	s.93.
Recorded rent to remain unaltered for certain periods except in certain cases	,,	s.94.
Power of Revenue-officer to give effect to agreement or compromise	,,	s.96.
Expenses of preparation of record-of-rights, etc., how defrayed	,,	s.95.
Special provisions in respect of mumdari khuntkathidari tenancies	,,	ss.250 to 256.
Record of landlord's privileged lands :		
"landlord's privileged lands" defined	,,	s.118.
lands presumed not to be	,,	s.123.
power to direct survey and record of	,,	s.119.
power to record on application of landlord or tenant	,,	s.121.
Procedure : application of sections 83, 84, 87, 88, 90, 95, 96 : appeal	,,	ss.120, 122, 126.
Certain lands not to be recorded as	,,	s.124.
Unrecorded land not to be deemed to be	,,	s.125.
Record-of-rights and obligations of raiyats having khuntkathi rights and others :		
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Notice of entries : decision of disputes : appeal : entry to be conclusive evidence	,,	ss.129, 130, 131, 132.
Origin and nature of tenancy and real status of tenant to be regarded in preparation of	,,	s.133.
Unrecorded land not to be regarded as khuntkathi	,,	s.134.
Jurisdiction and procedure :		
Certain suits and applications to be cognizable only by the Court of the Deputy Commissioner	,,	s.139.
Deputy Commissioner, place for holding Court by and for instituting proceedings before ; jurisdiction of : withdrawal of suits by	,,	ss.135 to 138.
Collective suits or applications by or against several tenants	,,	ss.140, 141.
Suit for rent by co-sharer landlord	,,	s.142.
Procedure in suits before Deputy Commissioner	,,	ss.143 to 170.
Local inquiry in suit or proceeding before Deputy Commissioner	,,	s.171.
Power to set aside judgment or order passed *ex parte* or on default	,,	s.227.
Payment into Court and effect thereof	,,	ss.172 to 175.

LANDLORD AND TENANT—*contd.*

III.—BENGAL—*contd.*

B.—UNDER OTHER ENACTMENTS—*contd.*

Jurisdiction and procedure—*contd.*

Power to award in rent-suit damages to plaintiff for improper neglect or refusal to pay rent	Ben. Act 6, 1908, s.175.
Compensation to defendant where no reasonable or probable cause for suit against him	,, s.176.
Procedure in rent-suit where third party claims the rent sued for	,, s.177.
Suit for ejectment or cancellation of lease of non-occupancy-raiyat for arrears of rent	,, s.178.
Decree for grant of lease or delivery of counterpart, effect of: power of Deputy Commissioner to grant lease on default by landlord	,, ss.179,180.
Execution of decrees and orders; application for: issue of process	,, ss.181 to 185, 188 to 190.
Properties exempt from attachment and sale	,, s.186.
Procedure in execution by arrest or attachment of moveables	,, ss.187,191 to 193.
Execution of decree for ejectment or re-instatement of tenant or for cancelment of lease	,, ss.194 to 195.
,, for share of rent in favour of co-sharer landlord: restriction on sale of tenure or holding	,, ss.196,197.
Execution against immoveable property when allowed	,, s.198.
Sale of moveable property: procedure; claim by third party; effect of irregularity in sale; application of proceeds	,, ss.199 to 207.
Sale of tenure or holding in execution of decree for arrear of rent; restrictions on; rights of purchaser; application of proceeds of sale; claim by third party	,, ss.208,209,211.
Setting aside of sale in execution of decree: restriction on suit for	,, ss.212 to 214.
Appeals to Deputy Commissioner or Commissioner in certain cases; bar to further appeal; revision by Board	,, ss.215 to 223, 228, 229.
,, to Judicial Commissioner or High Court	,, ss.224 to 226, 228, 229.
No appeal in certain cases	,, ss.218(*1*), 227, 228.
Limitation: Indian Limitation Act to apply where not inconsistent with Ben. Act 6, 1908	,, s.230.
,, special rules of	,, ss.231,238.
,, ,, ,, in appeals	,, ss.216,226.
No suit for rent in respect of mumdari khuntkathidari tenancies in certain cases	,, s.244.
Non-joinder of co-tenants when no defence to suit for rent in respect of mumdari khuntkathidari tenancies	,, s.247.
Transfer of suit, application or proceeding	,, s.269.

Custom and contract:

Saving of custom	,, s.76.
Incidents of tenancy of homestead land held by raiyat as separate tenancy, to be regulated by local custom and usage	,, s.78.

LANDLORD AND TENANT—*contd.*

III.—BENGAL—*contd.*

B.—UNDER OTHER ENACTMENTS—*contd.*

Custom and contract—*contd.*		
Saving as to service tenures and holdings	Ben.Act,61908,	s.77.
Restrictions on exclusion of Act by agreement	,,	s.79.
Prædial conditions :		
Prohibition against new	,,	s.101.
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When original terms of tenancy cannot be ascertained to be regulated by local custom and usage ; effect of continuous compliance with conditions for five years	,,	s.102.
Value of, how determined ; limit to recovery of value of	,,	ss.103-104.
Commutation of an application of landlord or tenant : expenses of	,,	ss.105,115.
Record of and commutation of, under order of Local Government :		
Preparation and publication of record : provision as to appeal and revision : procedure : expenses of	,,	ss.106,111, 116.
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Korkar, definition of ; conversion of land into ; consent of landlord when required for	,,	ss.3(xiii),64, 66.
Ejectment ; no tenant to be ejected except in execution of decree or order	,,	s.68.
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,, decree or order for, when to take effect	,,	s.70.
,, unlawful, power to replace tenant in possession in case of	,,	s.71.
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Lease in favour of tenant already in occupation with a view to continuance of occupation not to be deemed to admit him to occupation	,,	s.74.
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Joint landlords to act collectively or by common agent	,,	s.257.
Bar to civil suit to vary, modify or set aside certain orders of Deputy Commissioner or Revenue-officer	,,	s.258.
Service of process	,,	ss.259,260.
Costs	,,	ss.261,262.
Power to compel attendance of witnesses	,,	s.263.
Power to make rules : publication and effect of	,,	ss.264to267.
Recovery of costs, interest, damages, etc., awarded under Act	,,	s.268.
Control over Deputy Commissioners and Deputy Collectors	,,	s.279.
Bhuinhari and majhahas tenures in Chota Nagpur :		
Definition of "bhuinhari," "majhahas" and "Special Commissioner"	Ben.Act2,1869,	s.1.
Appointment, and limits of jurisdiction of Special Commissioners	,,	s.2.

LANDLORD AND TENANT—*contd.*

III.—BENGAL—*contd.*

B.—UNDER OTHER ENACTMENTS—*contd.*

Bhuinhari and majhahas tenures in Chota Nagpur—*contd.*

Special Commissioner to ascertain titles and tenures of lands alleged to be bhuinhari or majhahas, and demarcate same . . . Ben.Act2,1869,s.3..

Special Commissioner to have powers of Collector making settlement of land-revenue . . . . . ,, s.4..

Special Commissioner to register—

lands ascertained to be bhuinhari or majhahas; conditions, services and rents to which such lands are ascertained to be subject, and . . . . . ,, s.5..

rights and privileges to be enjoyed in respect of such lands . .

Special Commissioner to restore persons wrongfully dispossessed . . . . . ,, s.6.

Presumption as to conditions, services and rents . . . ,, s.7.

Lands not to be registered if occupation newly commenced within twenty years of passing of Act . . . . . ,, s.8.

Commutation of conditions or services attached to bhuinhari lands other than payment of rent in money . . . . ,, ss.9to13.

Appeal and revision . . . . . ,, ss.13to20,23..

Bar to jurisdiction of Civil Courts . . . . . ,, s.20..

Judgments, etc., of Civil Courts in certain cases not to be evidence in enquiry before Special Commissioner . . . . ,, s.24..

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Power of Local Government to make rules and orders for regulating procedure, etc. . . . . ,, s.23..

Registers; confirmation and publication of . . . . . ,, s.25.

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Santhál Parganas:

Ben. Regs. 18 of 1812, 29 of 1814, 8 of 1819 and 1 of 1820, Acts 25 of 1850, 6 of 1853, and 5 of 1859, and Ben. Act 8 of 1865 declared in force in Santhál Parganas . . . . . Reg.3,1872,s.3..

Restriction on trial of suits by ordinary Courts until settlement made . . . . . ,, ss.5,5A(sub.. Reg.3,1908,s.2).

Jurisdiction of officers appointed under Act 37, 1855, pending completion of settlement . . . . . Reg.3,1872,ss.5,5A (sub.Reg.3,1908,s.2),26.

Preparation of record-of-rights by Settlement-officer . . Reg.3,1872,ss.12to14(s.13: am.Reg.3,1908,s.5)..

Power of Settlement-officer to modify rent payable by village-headman . . . . . Reg.3,1872,s.17..

Rules to be observed by Settlement-officer in deciding status, rights and claims of raiyats or occupiers, and settling rents . ,, ss.18,20,21..

Powers of Settlement-officer as to fixing, etc., instalments for payment of rent . . . . . ,, s.22..

Restrictions on transfer by raiyat of his right in whole or part of his holding . . . . . Reg.3,1872,s.27(sub.Reg.3, 1908,s.10).

Penalty for proprietor, headman, etc., exacting illegal toll or cess, etc. . . . . ,, s.28(*b*)(sub.Reg. 3,1908,s.10).

raiyat failing to assist proprietor or headman in repairing village dyke, drain, tank, path or boundary mark . . . . . ,, s.28(*f*)(sub.Reg.3, 1908,s.10).

LANDLORD AND TENANT—*contd.*

III.—BENGAL—*concld.*

B.—UNDER OTHER ENACTMENTS—*concld.*

Santhál Parganas—*contd.*

Definition of "Commissioner" and "Deputy Commissioner"	Reg.2,1886,s.2.
Rent of headman or raiyat to be changed only by Settlement-officer or Deputy Commissioner	,, s.3.
Periods for which rents adjusted in course of settlement are to remain unchanged	,, s.6.
Determination of rents by Deputy Commissioner in settled tracts:	
Preparation, amendment and publication of table of rates of rent and rent-roll	,, ss.7to17.
Period for which such table and roll to remain unchanged	,, s.18.
Rents specified in such roll when to take effect	,, s.19.
Enhancement of rent on ground of proprietor's improvements	,, ss.19Ato 19F(ins.Reg. 3,1907,s.2).
Determination of rents by Deputy Commissioner in unsettled tracts:	
Application of ss. 7 to 19 of Reg. with modifications	,, s.20.
Employment of subordinate officers in preparation of tables of rates and rent-rolls	,, s.21.
Recovery of costs of proceedings connected with application under s. 7 or s. 20 of Reg.	,, s.22.
Application by Settlement-officer of table of rates to waste land included by him in a village	,, s.23.
New tenancies; regulation of rents in	,, s.24.
Raiyat to be ejected only on order of Deputy Commissioner	,, s.25.
Acquisition of land by proprietor for building and other purposes	,, s.25A(ins. Reg.3,1907,s.3).
Appeals, and control of Lieutenant-Governor	Reg.2,1886,ss.26,27.
Power of Lieutenant-Governor—	
to order amendment of record-of-rights when table of rates and rent-roll are prepared	,, s.29.
to make rules	,, s.30.
to exclude land from operation of Reg. 2, 1886, and such portions of Reg. 3, 1872, as relate to adjustment and record of rents	Reg.2,1886,s.31.

IV.—EASTERN BENGAL AND ASSAM.

A.—EASTERN BENGAL.

1. Preliminary.

Act 8, 1885, extends to the whole of Eastern Bengal except the Scheduled Districts and notified Municipalities	Act8,1885,s.1(*3*)(am.E.B. &A.Act1,1908,s.3)
Definitions	,, ss.3,5,20,41,47,76, 160,161(ss.3,161am.E.B. &A.Act1,1908,ss 4,51).

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*contd.*

2. Status of Tenants, and General Rights, Powers and Obligations of Landlords and Tenants.

Classes of tenants	Act8,1885,s.4.
Meaning of "tenure-holder and raiyat"	„ s.5.
(1) Tenure-holder	
Restrictions on enhancement of rent of	„ ss.6to9.
„ ejectment of permanent tenure-holder	„ s.10.
Transfer and transmission of permanent tenure:	
Right to transfer and bequeath	„ s.11.
Voluntary transfer to be registered; fee and notice to be sent to landlord	„ s.12(am. E.B.&A.Act1,1908,s.5).
Transfer by sale in execution of decree other than decrees for rent, or by foreclosure; fee and notice to be sent to landlord	Act8,1885,s.13(am.E.B.& A.Act1,1908,ss.5,6).
On succession, notice to be given to Collector and landlord's fee paid	„ ss.15,16(am.E.B. &A.Act1,1908,ss.6,7).
Payment of such fee to Registrar of Mutations	Ben.Act3,1895,s.20.
Application of ss. 11 to 16 of Act 8, 1885, to shares	Act8,1885,s.17.
Validation of transfers, where landlord's fee not paid	Ben.Act1,1903,ss.1,3.
Realization of landlords' fees	„ s.2.
(2) Raiyat holding at rate fixed in perpetuity:	
Restrictions on ejectment of	Act8,1885,s.18(*b*).
Application of ss. 11 to 16 to transfer of, and succession to, holding of	„ s.18(*a*).
Payment to Registrar of Mutations of landlord's fee under Ben. Act 8, 1885, s. 18	Ben.Act3,1895,s.20.
(3) Transfer of tenures or holdings:	
Instruments to which landlord is not a party not to be evidence against him as to incidents of tenancy	„ s.18A (ins.E.B.&A.Act 1,1908,s.8.)
Acceptance of landlord's fee not to operate as an admission as incidents of tenancy or as a consent to division of tenancy or distribution of rent	„ s.18B (ins.E.B.&A.Act 1,1908,s.8.)
Forfeiture of landlord's fee to Government where unclaimed for three years	„ s.18C (ins.E.B.&A.Act 1,1908,s.8.)
(4) Occupancy-raiyat:	
Continuance of existing occupancy-rights	Act8,1885,s.19(*1*).
Exclusion of municipalities from operation of Act 8, 1885, not to affect prior rights or liabilities	„ s.19(2)(ins.E. B.&A.Act1,1908,s.9).
Settled raiyat; definition of	Act8,1885,s.20.
„ „ to have occupancy-rights	„ s.21.
Effect of acquisition of occupancy-right by landlord	„ s.22(am.E. B.&A.Act1,1908,s.10).
Rights, of, as to use of land	Act8,1885,s.23.
Obligation of, to pay rent at fair rate	„ s.24.
Restrictions on ejectment of	„ s.25.
Devolution or extinction of occupancy-right on death of	„ s.26.
Restrictions on enhancement of rent of	„ ss.27to37.
Reduction of money-rent paid by	„ s.38.

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*contd.*

2. Status of Tenants, and General Rights, Powers and Obligations of Landlords and Tenants—*contd.*

(4) Occupancy-raiyat—*contd.*

Price-lists : preparation, revision and publication of ; reference to be made to, in proceedings for enhancement or reduction of rent on ground of rise or fall in prices	Act8,1885,s.39.
Commutation of rent payable in kind, etc.	,, s.40(am.E. B.&A.Act1,1908,s.11).
Periods for which commuted rents are to remain unaltered	Act8,1885,s.40A(ins.E. B.&A.Act1,1908,s.12).
Ch. V (ss. 19 to 40A) not to apply to — (*a*) land acquired under the Land Acquisition Act for Government, local authority or railway company, or (*b*) Government lands in a cantonment, or (*c*) proprietor's private land held under lease	Act8,1885,s.116(am.E B.&A.,Act1,1908,s.39).

(5) Non-occupancy-raiyat :

Definition of	Act8,1885,s.41.
Initial rent of	,, s.42.
Restrictions on enhancement of rent of	,, s.43.
,, ejectment of	,, ss.44,46.
Meaning of "admitted to occupation"	,, s.47.
Ch. VI (ss. 41 to 47) not to apply to— (*i*) lands acquired under the Land Acquisition Act for Government, local authority or railway compay, or (*ii*) Government lands in a cantonment, or (*iii*) proprietor's private lands held under lease, or (*iv*) raiyats holding land under the custom of utbandi	,, s.116(am. E.B.&A.Act1,1908,s.39). Act8,1885,s.180(2).

(6) Under-raiyat :

Limit of rent recoverable from	,, s.48.
Restrictions on ejectment of	,, s.49.

3. Rent.

Rules and presumptions as to fixity of rent ; exception	,, ss.50,115.
Presumption as to amount of	,, s.51.
Alteration of, on alteration in area	,, s.52(am.E. B.&A.Act1,1908,s.13).
Payment of, in instalments	Act8,1885,s.53.
Time and place for payment of	,, s.54.
Appropriation of payments of	,, s.55.
Receipts and accounts :	
Landlord to give receipt and retain counterfoil	,, s.56,Sch.II.
Presumption of full payment when receipt does not contain prescribed particulars	,, s.56(*4*).
Tenant entitled to full discharge or statement of account at close of year ; landlord to retain counterfoil ; compensation ; appeal ; procuring evidence	,, s.57,Sch.II.
Penalty for withholding receipt or statement of account or failing to retain counterpart	,, s.58(am.E. B.&A.Act1,1908,s.14).

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*contd.*

3 Rent—*contd.*

Receipts and accounts—*contd.*
Forms of, to be kept for sale . . . . . Act 8, 1885, s.59.
Effect of receipt given by proprietor, manager or mortgagee registered under Ben. Act 7, 1876 . . . . . „ s.60.
Deposit of rent:
Application to deposit rent in Court . . . . . „ s.61.
Receipt given by Court to be a valid acquittance . . . „ s.62.
Notification of receipt of deposit . . . . . „ s.63.
Payment or refund of deposit by Court . . . . . „ s.64.
Bar to suits against Government . . . . . „ s.64(*4*).
Produce-rents:
Division or appraisement of produce:
Power to order officer to make . . . . . „ s.69(am. E.B.&A. Act 1, 1908, s.16).
Procedure for, where officer appointed . . . . . Act 8, 1885, s.70.
Rights and liabilities as to possession of crop . . . . . „ s.71.
Change of landlord or tenant:
Liability for rent on change of landlord . . . . . „ s.72.
„ „ after transfer of occupancy-holding . . „ s.73.
Illegal cesses, etc.:
Prohibition of abwáb and other cesses levied in addition to rent . . . . . „ s.74.
Penalty for exaction by landlord of sum in excess of rent or interest payable . . . . . Act 8, 1885, s.75(am. E.B.&A. Act 1, 1908, s.17).
In temporarily-settled districts:
Enhancement of rent on expiration of settlement . . . „ s.191.
Alteration of rent in case of new assessment of land-revenue . „ s.192(am. E.B.&A. Act 1, 1908, s.60).
Arrears of:
Rent when deemed to be in arrear . . . . . „ s.54(*3*).
Permanent tenure-holder, raiyat at fixed rates and occupancy-raiyat not liable to ejectment for arrear, but tenure or holding liable to sale; rent a first charge on tenure or holding . „ s.65.
Ejectment of other tenants for arrear . . . . . „ s.66.
Interest on . . . . . „ s.67(am E.B&A. Act 1, 1908, s.15).
Power to award damages on rent withheld without reasonable cause or when defendant improperly sued . . . . „ s.68.
Distraint:
Cases in which application may be made to Civil Court for distraint; products which may be distrained . . . „ s.121.
Form of application for; procedure on receipt of application . . . . . „ ss.122, 123.
Execution of order for . . . . . „ ss.124, 125.
Right to reap, etc., produce . . . . . „ s.126.
Sale of property . . . . . „ ss.127 to 135.

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*contd.*

3. Rent—*concld.*

Distraint—*contd.*

Procedure where demand is paid before sale; deduction from rent where under-tenant pays	Act8,1885,ss.136,137.
Conflict of rights of superior and inferior landlords	,, s.138.
Procedure where property distrained is under attachment	,, s.139.
Appeals barred, but suit may be brought for compensation for wrongful distraint	,, s.140.
Power of Local Government to authorize distraint without application to Civil Court; procedure in making such distraints	,, s.141.
Power of High Court to make rules of procedure	,, s.142.
Sale under decree for recovery of:	
Passing of tenure or holding sold in execution of decree	,, s.158B(ins.E.B.&A.Act1,1908,s.50).
General powers of purchaser as to avoidance of incumbrances; definition of "protected interests," "incumbrance," "registered and notified incumbrance," "arrears" and "arrears of rent"	Act8,1885,ss.159to161(s.161am.E.B.&A.Act1,1908,s.51).
Application for sale; order of attachment and proclamation of sale	,, ss.162,163.
Sale of tenure or holding—	
subject to registered and notified incumbrances	,, ss.164,168(s.168am.E.B.&A.Act1,1908,s.52).
with power to avoid all incumbrances	,, ss.165,166.
Incumbrances: procedure for annulling	,, s.167.
,, registration of	,, s.175.
,, notification of, by registering-officer to landlord	,, s.176.
,, power to create, not extended by Act	,, s.177.
Disposal of sale-proceeds	,, s.169(am.E.B.&A.Act1,1908,s.53).
Release from attachment, on payment of confession of satisfaction	Act8,1885,s.170(am.E.B.&A.Act1,1908,s.54).
Payments into Court to prevent sale; amount paid when deemed a mortgage-debt; reduction of amount from rent	,, ss.171,172.
Decree-holder may bid at sale; judgment-debtor may not	,, s.173.
Application by judgment-debtor to set aside sale	,, s.174(am.E.B.&A.Act1,1908,s.55).
Recovery of, under the certificate procedure	,, s.158A(ins.E.B.&A.Act1,1908,s.49).

See also above, 2, and below, 4, 5.

4. Records, and Settlement of Rents.

Record-of-rights and settlement of rents:

Record-of-rights—

Power to order survey and preparation of record-of-rights; particulars to be recorded	,, ss.101,102(am.E.B.&A.Act1,1908,ss.18,19).

LANDLORD AND TENANT—contd.

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*contd.*

4. **Records, and Settlement of Rents**—*contd.*

Record-of-rights and settlement of rents—*contd.*

Record-of-rights—*contd.*

Power to order survey and preparation of record-of-rights as to water	Act 8, 1885, s. 102A (ins. E.B. & A. Act 1, 1908, s. 20).
Power of Revenue-officer to record particulars on application of proprietor, tenure-holder or large proportion of raiyats	" s. 103.
Preliminary publication, amendment and final publication of record	" s. 103A.
Certificate of and presumption as to final publication; notification of final publication; presumption as to correctness of record	" s. 103B (am. E.B. & A. Act 1, 1908, s. 21).

Settlement of rents, preparation of settlement rent-roll, and disposal of objections, in cases where a settlement of land-revenue *is being or is about to be made*:

Settlement of rents and preparation of settlement rent-roll: when to be undertaken; procedure	" ss. 104, 104A (s. 104 am. E.B. & A. Act 1, 1908, s. 23).
Table of rates; preparation, contents, publication, amendment, confirmation, effect and application of	" ss. 104A(c), 104B to 104D.
Settlement Rent-Roll: preliminary publication, amendment and confirmation of	" ss. 104E, 104F.
" " " incorporation of, with record-of-rights	" s. 104F(3).
Appeal to, and revision by, superior Revenue-authorities	" s. 104G.
Jurisdiction of Civil Courts in matters relating to rent	" s. 104H (am. E.B. & A. Act 1, 1908, s. 24).
Presumptions as to rents settled under ss. 104A to 104G	" s. 104J.

Settlement of rents and decision of disputes in cases where a settlement of land-revenue *is not being made or is not about to be made*:

Settlement of rents when to be undertaken; decision of questions arising; institution of suit; procedure	" ss. 105 to 107 (ss. 105, 106, 107 am. s. 105 A ins. E.B. & A. Act 1, 1908, ss. 23, 25 to 28).
" " revision by Revenue-officer	" s. 108 (am. E.B. & A. Act 1, 1908, s. 29).
" " bar to jurisdiction of Civil Courts	" s. 109 (am. E.B. & A. Act 1, 1908, s. 31).
" " appeals from decisions of Revenue-officers	" s. 109A (am. E.B. & A. Act 1, 1908, s. 32).
Correction by Revenue-officers of mistakes in record-of-rights	" s. 108A (ins. E.B. & A. Act 1, 1908, s. 30).
Power of Revenue-officer to presume that agreements or compromises are lawful	" s. 109B (ins. E.B. & A. Act 1, 1908, s. 33.
Notes of decisions on record	" s. 109C
Date from which settled rent takes effect	" s. 110.
Stay of proceedings in Civil Courts during preparation of record-of-rights	" s. 111 (am. E.B. & A. Act 1, 1908, s. 34).

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*contd.*

4. Records and Settlement of Rents—*concld.*

Settlement of rents and decision of disputes in cases where a settlement of land-revenue *is not being made or is not about to be made—contd.*

Limitation of jurisdiction of Civil Courts in matters, other than rent, relating to record-of-rights	Act 8, 1885, s. 111A.
Stay of suits in which certain issues arise	,, s. 111B (ins. E. B. & A. Act 1, 1908, s. 35).
Power to authorize special settlement in special cases	Act 8, 1885, s. 112 (am. E. B. & A. Act 1, 1908, s. 36).
Period for which rents as settled are to remain unaltered	,, s. 113.
Payment by landlords, tenants and occupants of expenses of proceedings	,, s. 114 (rep. in pt. and am. E. B. & A. Act 1, 1908, s. 37).
Alternative procedure for recovering expenses; recovery from successors in interest; power to make rules as to distribution of expenses	Ben. Act 3, 1895, ss. 28 to 32, 36(c).
Demarcation of village-boundaries	,, s. 115A (ins. E. B. & A. Act 1, 1908, s. 38).
Validation of records published under Act 8, 1885, s. 105, before commencement of Ben. Act 3, 1898	Ben. Act 3, 1898, s. 8.
Effect of settlements of rent and decisions by Revenue-officers made before commencement of Ben. Act 3, 1898	,, s. 9.
Record of proprietors' private lands:	
Power to order survey and record of proprietors' private lands	Act 8, 1885, s. 117.
Power to ascertain and record whether land is proprietor's private land, on application of proprietor or tenant	,, s. 118.
Application of ss. 103A, 103B, 106, 107, 108, 109 and 109A	,, s. 119.
Rules for determining what land is proprietor's private land	,, s. 120 (am. E. B. & A. Act 1, 1908, s. 41).

5. Miscellaneous Provisions.

Presumption as to conditions under which tenant holds	Act 8, 1885, s. 51.
Power of Court, on application, to determine incidents of tenancy	,, s. 158 (am. E. B. & A. Act 1, 1908, s. 48).
Limitation in suits, appeals and applications; Indian Limitation Act how far applicable	,, ss. 184, 185, Sch. III (Sch. III am. E. B. & A. Act 1, 1908, s. 61).
Improvements:	
Definition of	Act 8, 1885, s. 76.
Right to make	,, ss. 77 to 79.
By landlord; registration of	s. 80.
,, enhancement for	,, s. 33.
Record of evidence as to, on application	,, s. 81.
By raiyat; compensation for	,, ss. 82, 83.
Compulsory acquisition of tenant's holding by landlord for purposes of building, etc.	,, s. 84.
Sub-letting; restrictions on	,, s. 85.

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*contd.*

5. Miscellaneous Provisions—*contd.*

Surrender of holding	Act8,1885,s.86.
Abandonment of holding	,, s.87.
Sub-division of tenure or holding, or distribution of rent, not binding on landlord without his consent	,, s.88.
Acceptance of landlord's fee does not operate as a consent under s. 88	Act8,1885,s.18B(*b*)(ins. E.B.&A.Act1,1908,s.8).
Ejectment to be in execution of decree only	Act8,1885,s.89.
Measurements:	
Landlord's right to measure land	,, s.90.
Power for Court to order tenant to attend and point out boundaries	,, s.91.
Standard of measurement	,, s.92.
Managers:	
Compulsory appointment of common manager by or for co-owners	,, ss.93to95.
Power of Local Government to nominate person to be such manager for all estates and tenures in a local area	,, s.96.
Remuneration, duties, powers and removal of such manager; power of High Court to make rules as to powers and duties	,, ss.98,100.
Court of Wards may be appointed such manager; application of Ben. Act 9, 1879	,, ss.95,97.
Power to restore management to co-owners	,, s.99.
Contract and custom:	
Restrictions on exclusion of Act by agreement	,, s.178(am. E.B.&A.Act1,1908,s.56).
Saving of right of proprietor or of holder of permanent tenure in permanently-settled area to grant permanent mukarrari lease on any terms agreed on	Act8,1885,s.179.
Restriction on acquisition of right of occupancy in uthandi, chur or diara lands; pending such acquisition, rent to be according to agreement; power of Collector to declare that land has ceased to be chur or diara	,, s.180.
Act not to affect incidents of ghatwali or other service-tenures	,, s.181.
Homestead: incidents of tenancy of, to be regulated by custom	,, s.182.
General saving of customs not inconsistent with Act	,, s.183.
Power of Court to fix fair rent as alternative to ejectment of trespasser	,, s.157.
Provisions as to suits for recovery of arrears of rent to apply to suits for recovery of sums payable for right of pasturage, forest-rights, rights over fisheries, etc.	,, s.193.
Tenant not enabled by Act to violate conditions binding on landlord	,, s.194.
Punishment for falsification of accounts by native agents of proprietors of farmers	Ben.Reg.12,1817,ss.27,30.

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*concld.*

6. Jurisdiction and Procedure.

What Civil Court has jurisdiction in suits and applications	Act 8, 1885, s. 144.
Power of High Court to modify Code of Civil Procedure in its application to suits between landlord and tenant	,, s. 143.
Naibs or gumashtas to be recognized agents of landlord	,, s. 145.
Special register of suits	,, s. 146.
Successive rent-suits	,, s. 147.
Compromise of suits between landlord and tenant	,, s. 147A (ins. E.B.&A. Act 1, 1908, s. 42).
Civil Courts to have regard to entries in record-of-rights	Act 8, 1885, s. 147B (ins. E.B.&A. Act 1, 1908, s. 42).
Procedure in rent-suits	Act 8, 1885, s. 148 (am. E.B.&A. Act 1, 1908, s. 43).
Suit for arrears of rent by co-sharer landlord	Act 8, 1885, s. 148A (ins. E.B.&A. Act 1, 1908, s. 44).
Payment into Court of money admitted to be due	Act 8. 1885, ss. 149 to 152 (ss. 149, 150 rep. in pt. E.B.&A. Act 1, 1908, s. 45).
Appeals in rent-suits	Act 8, 1885, s. 153 (am. E.B.&A. Act 1, 1908, s. 46).
Deposit on application to set aside *ex parte* decree or for review	Act 8, 1885, s. 153A (ins. E.B.&A. Act 1, 1908, s. 47).
Date from which decree for enhancement takes effect	Act 8, 1885, s. 154.
Relief against forfeitures	,, s. 155.
Rights of ejected tenant in respect of crops and land prepared for sowing	,, s. 156.
Power of Court to fix fair rent as alternative to ejectment of trespasser	,, s. 157.

7. Supplemental.

Penalties for illegal interference with produce	,, s. 186.
Damages for denial of landlord's title	,, s. 186A (ins. E.B.&A. Act 1, 1908, s. 57).
Power for landlord to act through agent	Act 8, 1885, s. 187.
Joint landlords to act collectively or by common agent	,, s. 188.
Procedure in suits by joint landlord	,, s. 188A (ins. E.B.&A. Act 1, 1908, s. 58).
Power of Local Government to make rules as to procedure, powers of officers, forms, service of notices and landlords' fees	Act 8. 1885, s. 189 (am. E.B.&A. Act 1, 1908, s. 59).
Procedure for making, publication and confirmation of rules	Act 8, 1885, s. 190.
Saving of special enactments	,, s. 195.
,, power for Local Council to amend Act 8, 1885	,, s. 196.

B.—EASTERN BENGAL AND ASSAM.

Patni taluq :	
Definition	Ben. Reg. 8, 1819, s. 1.
Declared valid, transferable and answerable for debt	,, s. 3(1).
Not voidable for arrears ; sale for arrears	,, s. 3(2)

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

B.—EASTERN BENGAL AND ASSAM—*contd.*

Patni taluq—*contd.*

Right to underlet	Ben.Reg.8,1819,ss.3(2),4.	
On transfer of, landlord entitled to receive fee and to demand security from transferee	,,	ss.5to7.
Validation of leases fixing rent in perpetuity or for more than ten years; saving of liability to cancellation on sale of estate for arrears of revenue	,,	s.2.
Periodical sales of tenures at instance of zamindar, where the right to sell for arrears of rent was reserved by the lease creating the tenure:		
Zamindar's right to apply for sale	,,	s.8.
Procedure for conducting sale	,,	ss.9,10.
Deposits made under Ben. Reg. 8, 1819, s. 9: if forfeited, to be applied to defray expenses of sale, balance being credited to Government	Act25,1850.	
Purchaser bound by agreement under ss. 4, 5 of Ancient Monuments Preservation Act, 1904, executed by holder of tenure for the time being	Act7,1904,s.8.	
Avoidance of incumbrances	Ben.Reg.8,1819,ss.11,12.	
Staying of sale by payment into Court; sale not to be stayed unless payment made	,,	ss.13,14.
Delivery to purchaser of certificate of sale and order for possession	,,	s.15(1).
Procedure in case of opposition to purchaser in obtaining possession	,,	s.15(2),(3).
Disposal of proceeds of sale	,,	s.17.
Ben. Reg. 8, 1819, applied to other sales for arrears of rent at instance of zamindar; notice to be given of sale	Ben.Reg.1,1820.	
Sales for arrears of rent, or suits relating to arrears of rent:		
By whom to be conducted or heard, where lands situate in different Collectorates	Act6,1853,ss.1to3.	
Powers of independent Deputy Collector in reference to	,,	ss.4to7.
Publication of notices	,,	s.8.
Sale of patni taluqs and other under-tenures for arrears of rent:		
Sale to be conducted by Collector; powers of Judge withdrawn	Ben.Act8,1865,s.3.	
Procedure for conducting sale in execution of decree	(E.B.)Ben.Act8,1865,ss.4,5.	
Sale to be stopped on deposit of payment; application of Ben. Reg. 8, 1819, s. 13	,,	s.6.
Sale to be to highest bidder	,,	s.7.
Payment of purchase-money; re-sale on default	,,	ss.8to10.
Certificate and possession to be given to purchaser	,,	s.11,Sch.
Disposal of proceeds of sale	,,	s.12.
Appeal and revision	,,	ss 13to15.
Avoidance of incumbrances	,,	s.16.
Purchaser to apply to landholder for registration, and to execute kabuliyat	,,	s.17.

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*concld.*

B.—EASTERN BENGAL AND ASSAM—*concld.*

Position of tenants when estate sold for arrears of revenue under Act 11, 1859. *See* LAND-REVENUE, V, A, 4.

Registration of interests of landlord and tenant. *See* REGISTRATION OF LAND, I.

V.—BOMBAY PRESIDENCY.

1. Generally.

Bar to jurisdiction of Civil Courts in certain cases affecting landlord and tenant	Act10,1876,ss.4,5.
Receipt to be given for rent, and (except in Panch Mahals) to be signed by village-accountant; penalty	Bom.Act5,1879,ss.58 (sub.Bom.Act1,1910, s.2),59. Act7,1885,s.2 (am.Bom.Act1,1910,s.2).
Rent or services to be paid or rendered by tenant; enhancement; eviction for non-payment or non-rendition	Bom.Act5,1879,s.83.
Duration of tenancy	
Presumption that occupant is in possession as tenant	
Annual tenancy: date for termination of; notice of termination	„ s.84,Sch.E.
Superior holder's dues on account of rent or land-revenue:	
To be received through hereditary village-officers, except in Panch Mahals	Bom.Act5,1879,s.85(sub. Bom.Act1,1910,s.2). Act7,1885,s.2.
Recovery of, under ss. 138 to 187, on application to Collector	Bom.Act5,1879,ss.86,87.
Collector to refuse assistance where application of superior holder not supported by record-of-rights	Bom.Act4,1903,ss.12,17.
Issue of commission conferring on holder of alienated lands certain powers under Act for recovery of rent or land-revenue, for regulating use and relinquishment of lands and for maintenance and repair of boundary-marks	Bom.Act5,1879,ss.88to94, Schs.D.,F.

2. Khoti land.

Power to fix demands of khot on tenant, for period of settlement	Bom.Act1,1865,s.38.
Local extent of Bom. Act 1, 1880	Bom.Act1,1880,s.1.
What holders of, to have right of occupancy	„ ss.5,6.
Continuance of privileged occupants tenures on payment of rent.	„ s.7.
Continuance of ordinary tenures; tenants when deemed to be yearly tenants	„ s.8.
Transfer and heritability of tenures	„ s.9.
Resignation, lapse or forfeiture of rights of privileged occupant	„ s.10.
Power of khot to confer on tenant the rights of a privileged occupant; record of such grants	„ ss.11,12.
Khot's right to rent where occupancy-tenant neglects to cultivate	„ s.14.
Accounts to be kept, and receipts given, by khot	„ s.15.
Managing khot alone entitled to assistance for recovery of rent from privileged occupants under Bom. Act 5, 1879, ss. 86, 87; delegation of duties and powers of managing khot.	„ ss.31,31A.

LANDLORD AND TENANT—*contd.*

V.—BOMBAY PRESIDENCY—*contd.*

2. Khoti land—*contd.*

Privileged occupants :	
Amount of rent payable by	Bom.Act1,1880,s.33.
Rents of, how and when to be paid	,, s.34.
No cesses, etc., to be levied from	,, s.35.
Inferior holders not liable to Local Fund Cess	,, s.36.
Power to make rules	,, s.40.

3. Bhagdari and Narwadari Tenures.

Bom. Act 5, 1862, not in force in Panch Mahals	Act7,1885,s.2.
Prohibition of attachment, etc., or alienation, of—	
bhag or share in bhagdari or narwadari village, not being a recognized sub-division, or homestead, building-site or premises appurtenant to such bhag, share or recognized sub-division	Bom.Act5,1862,ss.1to3.
Act not to prevent attachment, etc., or alienation of bhag or shares or recognized sub-division conjointly and in gross with its homestead, building-site and other proper appurtenances	,, ss.4,5.
Power to declare that land which had ceased to be held on bhagdari or narwadari tenure shall again be held on such tenure : objections and suggestions made by persons interested to be considered before making declarations : provisions of section 1, 2 or 3 not to apply to alienation, etc., effected within any period during which land was not held on bhagdari or narwadari tenure	,, s.6(ins.Bom. Act2,1910).
Bom. Act 5, 1862, not affected by—	
Bombay Revenue Jurisdiction Act, 1876	Act10,1876,s.1.
Bombay Land-revenue Code, 1879, ss. 113, 115, 116	Bom.Act5,1879,s.117.

VI.—CENTRAL PROVINCES, AND THE SAMBALPUR DISTRICT OF BENGAL.

1. Preliminary.

Definitions	Act11,1898,ss.2,23,36,44, 59,62.

2. Status of Tenants, and Rights, Powers and Obligations of Landlords and Tenants

(*a*) GENERALLY.

Classes of tenants	Act11,1898,s.3.
Rent : presumption as to amount payable	,, s.4.
,, date from which order fixing, altering or commuting rent takes effect	,, s.5.
,, instalments and times for payment of	,, s.6.
,, tenant not bound to pay in shares to different landlords	,, s.7.
,, deposit of money-rent with Revenue-officer for payment to landlord	,, ss.8,9.
,, penalty on landlord for levy of anything in excess of	,, s.10.
,, ,, ,, for refusing to give receipt, or giving defective receipt, for	,, s.12.

LANDLORD AND TENANT—*contd.*

VI.—CENTRAL PROVINCES, AND THE SAMBALPUR DISTRICT OF BENGAL—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landlords and Tenants.

(*a*) GENERALLY—*contd.*

Rent: presumption that payments are for	Act II, 1898,	s.11.
,, enhancement of money-rent when productive power of holding increased by landlord	,,	s.13.
,, reduction of, when effect of improvement ceases	,,	s.14.
,, alteration of money-rent when holding increased, diminished or deteriorated	,,	s.15.
,, ,, of rent in case of new assessment of land-revenue	,,	s.16.
,, commutation of other rents to fixed money-rents	,,	s.17.
,, remission or suspension of, consequent on like treatment of land-revenue	,,	s.18.
,, division or appraisement of crop by Commissioner appointed by Revenue-officer	,,	ss.19 to 22.
,, arrears of; landlord's lien on produce; his power to prohibit removal; sale when produce is attached by Civil Court; penalty for illegal distraint or for illegal removal of produce	,,	ss.23 to 30.
Improvements: right of landlord and tenant to make, in case of absolute occupancy, occupancy and ordinary tenancies	,,	s.31.
,, liability of landlord to pay compensation for, on ejectment of tenant; assessment and mode of payment of compensation	,,	ss.32,33.
,, avoidance of entries in record-of-rights and contracts barring tenant's right to make or be compensated for	,,	s.34.
,, by tenant, how to be treated in fixing rent	,,	s.79.
Surrender of holding	,,	ss.35,36.
Tenant's interest as tenant not affected by his taking thika or farm	,,	s.37.
Provisions of Act as to rights of absolute occupancy, occupancy or ordinary tenant not applicable to tenant of land in reserved forest	,,	s.38.

(*b*) ABSOLUTE OCCUPANCY-TENANTS.

Definition	,,	s.39.
Rent payable by, to be fixed for period of settlement; restriction on alterations	,,	s.40.
,, a first charge on holding	,,	s.43.
Right of, heritable and transferable; notice of transfer or alienation to be given to landlord, who may claim to purchase	,,	s.41.
Tenant not liable to ejectment	,,	s.42.

(*c*) OCCUPANCY-TENANTS.

Definition	,,	s.44.
Proprietor when to become an occupancy-tenant in respect of his sir-land; rent payable for such land; sanction required to transfer of sir-land; restriction on registration of such transfers; partition of undivided share in sir-land; bar to jurisdiction of Civil Courts; section not to apply to "bhogra" land	,,	s.45.

LANDLORD AND TENANT—*contd.*

VI.—CENTRAL PROVINCES, AND THE SAMBALPUR DISTRICT OF BENGAL—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landlords and Tenants—*contd.*

(*c*) OCCUPANCY-TENANTS—*contd.*

Occupancy-right; devolution of	Act 11, 1898, s.46(*1*).
,, ,, exemption of, from sale by Court	,, s.46(*2*).
,, ,, restrictions on transfer of	,, s.46(*3*),(*4*).
,, ,, restriction on registration of documents transferring	,, s.46(*5*).
,, ,, setting aside transfers of	,, ss.47,48.
Rent to be fixed at settlement	,, s.49.
,, restrictions on alteration of rent in Chanda, Nimar or Sambalpur District during currency of settlement; enhancement of rent in other districts	,, ss.50,51.
,, amount payable for sir-land to be fixed by Revenue-officer on application	,, s.45(*1*).
Ejectment of: grounds for	,, s.52.
Acquisition of right of occupancy in land taken by occupancy-tenant by exchange	,, ss.53,54
,, of occupancy-right by ordinary tenant; rent to be paid	,, s.73.

(*d*) VILLAGE-SERVICE-TENANTS.

Definition	,, s.55.
Devolution and transfer of holding of village-service-tenant; his right not to be sold in execution of decree	,, s.56.
Obligation of, to provide substitute	,, s.57.
Ejectment of: grounds for	,, s.58.

(*e*) SUB-TENANTS.

Definition	,, s.59.
To hold with certain exceptions, according to agreement	,, s.60.
Power to declare sub-tenants in certain cases to have rights of ordinary tenants	,, s.61.

(*f*) ORDINARY TENANTS.

Definition	,, s.62.
Rent for land cultivated in partnership with proprietor to be fixed by Revenue-officer on application	,, s.62(*2*).
,, to be fixed and recorded by Settlement-officer	,, s.63(*1*),(*2*).
,, power of Settlement-officer to declare tenant to be entitled to hold at rent lower than that fixed under s. 63 (*1*), until expiry of settlement	,, s.63(*3*).
,, when to be fixed by agreement	,, s.67.
,, notice of enhancement	,, s.64.
,, acceptance of enhancement	,, ss.65(*1*),66.
,, bar to further enhancement for seven years; exception	,, s.68.
,, procedure when tenant in suit pleads excessive rent; fixing of rent by Revenue-officer	,, s.78.
Ejectment of	,, ss.65(*2*), 66(*4*),69.

LANDLORD AND TENANT—*contd.*

VI.—CENTRAL PROVINCES, AND THE SAMBALPUR DISTRICT OF BENGAL—*concld.*

2. Status of Tenants, and Rights, Powers and Obligations of Landlords and Tenants—*concld.*

(*f*) ORDINARY TENANTS—*contd.*

Holding of; devolution of	Act 11, 1898, s.70(*1*).
,, exemption of, from sale by Court	,, s.70(*2*).
,, restrictions on transfer of	,, s.70(*3*),(*4*).
,, prohibition of registration of documents transferring	,, s.70(*5*).
,, setting aside transfers of	,, ss.71,72.
Obligation of landlord to confer occupancy-right on; rent to be paid as occupancy-tenant	,, s.73.
Power to declare sub-tenants in certain cases to have rights of ordinary tenants	,, s.61.

3. Jurisdiction and Procedure.

Separate register for suits between landlord and tenant	,, s.74.
Additional matters to be stated in plaint	,, s.75.
Legal practitioners' fees not ordinarily allowed as costs	,, s.76.
Arrears; set-off when allowed in suit for	,, s.77.
,, interest on	,, s.80.
,, no appeal in certain suits for	,, s.81.
,, contents of application for sale of holding or ejectment for; such application not to be admitted during the year in which the arrear accrued	,, ss.82,83.
,, procedure for sale of holding for	,, s.84.
,, ,, ,, ejectment of tenant for	,, s.85.
,, power of Court to deal with cases of drought or other calamity in suits for	,, s.86.
,, all claims to be determined in suits for	,, ss.90,91.
Procedure when ordinary tenant in suit pleads excessive rent; fixing of rent by Revenue-officer	,, s.78.
Ejectment; relief against forfeitures	,, s.87.
,, rights of tenant in respect of crops and land prepared for sowing	,, ss 88,89.
,, re-instatment of tenant illegally ejected	,, s.92.
,, *see also above*, 2 (*b*), (*c*), (*d*), (*f*)	
Limitation of suits	,, s.94.
Bar to jurisdiction of Civil Courts in certain cases	,, s.95.
Revenue-officers and Settlement-officers to follow procedure under Central Provinces Land-revenue Act, 1881	,, s.96(*1*).
Appeals	,, ss.81,96(*2*).
Cases in which Civil Courts are to have jurisdiction in suits between landlord and tenants	,, s.97.
Fines and penalties recoverable as arrears of land-revenue	,, s.98.

4. Miscellaneous.

Enquiry by Revenue-officer to ascertain extent of holding or take evidence of improvement, etc.	,, s.93.
Power of Local Government to make rules	,, ss.45(2),99.

LANDLORD AND TENANT—*contd.*

VII.—COORG.

Deduction from rent by tenant of—

value of produce distrained or sold for landlord's arrears of revenue . . . . . Reg.1,1899,s.70.

amount paid to release landlord's immoveable property attached for arrears of revenue . . . . . " s.94.

VIII.—MADRAS PRESIDENCY.

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS).

1. Preliminary.

Mad. Regs. 25 of 1802 and 4 of 1822 and Act 7 of 1839 declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . . Act15,1874,s.4.

Mad. Act 2, 1864, not to apply to City of Madras . . . Mad.Act2,1864,s.64.

Mad. Act 1, 1908, not to apply to—

City of Madras or Malabar District or South-East Wynaad . Mad.Act1,1908,s.1.

Provisions of Mad. Act 1,1908, not to govern relations between raiyat and his tenants or between landholder and tenant in respect of private land and the rights of other owners of land unless expressly made applicable . . . . . " s.19.

Definitions . . . . . Mad.Act1,1908,s.3(rep. pt.Mad.Act4,1909,s.2), s.60.

2. Status of Tenants, and Rights, Powers and Obligations of Landholders and Tenants.

(*a*) GENERALLY.

Engagements:

Written agreements to be executed; contents thereof . . Mad.Reg.25,1802,s.14.

Patta and muchalka to be executed between landholder and occupancy-raiyat and raiyat holding old waste . . . Mad.Act1,1908,s.50.

Contents and period of . . . . . " ss.51,52.

Registration of . . . . . " s.58.

Suit, etc., barred unless valid patta or muchalka exists or valid patta tendered . . . . . " s.53.

Suit to enforce grant or acceptance of patta and execution of muchalka; procedure . . . . . " ss.54to57.

Transfer and sub-division of holdings: landholder bound to recognise on receipt of notice: distribution of rent on sub-division; fresh engagement with transferors or cosharers: proceedings against transferor, etc., prior to notice valid against transferee, etc. . . . . " ss.145to147.

Non-occupancy-raiyat: power of, to acquire right of, occupancy; grounds for ejectment of . . . . . " s.46(am. Mad.Act4, 1909,s.5). " s.153(am. Mad.Act4, 1909,s.8).

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY—*contd.*

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landholders and Tenants—*contd.*

(*a*) GENERALLY—*contd.*

Occupancy-right:	
Raiyat in possession of raiyati land to have permanent right of occupancy in his holding	Mad. Act 1, 1908, s.6(*1*). (expl. add. Mad. Act 4, 1909, s.3).
Acquisition of, in land surrendered or abandoned by occupancy-raiyat or otherwise coming into possession of landholder in certain cases	,, s.6(2).
Power to prevent acquisition of, in respect of waste-land	,, s.6(*3*),(*4*),(*5*) (am. Mad. Act 4, 1909, s.4).
Restriction on ijaradar acquiring	,, s.6(*6*).
Power of non-occupancy-raiyat to acquire, on application; procedure	,, s.46(am. Mad. Act 4, 1909, s.5).
Bar to acquisition of, in respect of landholder's private land	,, s.181.
Merger of; effect of merger	,, s.8.
Heritable and transferable; extinction of, on death of raiyat intestate and without heir	,, s.10.
Right of occupancy-raiyat to enjoy and cut down trees	,, s.12.
Ground on which occupancy-raiyat may be ejected	,, s.151(*1*).
Use of land by raiyat	,, s.11.
Improvements:	
Right to make	,, ss.13,14,15. 18.
By landholder: registration of	,, s.16.
,, ,, enhancement of rent for	,, ss.30(*ii*),32.
Record of evidence as to, on application	,, s.17.
Irrigation works:	
Power, on application of raiyat, to require landholder to execute repairs or authorise raiyat to execute them; deduction from rent of costs paid by raiyat: right of suit	,, ss.135 to 137, s.138(am. Mad. Act 4, 1909. s.6), ss.139 to 141.
Appeal to Revenue-authorities: bar to jurisdiction of Civil Court	,, s.142, Sch. B (am. Mad. Act 4, 1909, ss.7, 10).
Compulsory acquisition by landholder of whole or part of holding for reasonable and sufficient purpose: compensation	,, s.186.

(*b*) RENT.

Landholder's right to collect rent of raiyati land in occupation of raiyat	,, s.4.
Rent of raiyati land a first charge on the holding and produce thereof; saving of rights of Government	,, s.5.

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY—*contd.*

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landholders and Tenants—*contd.*

(*b*) RENT—*contd.*

Obligation of raiyat to pay rent at fair rate	MadAct1,1908,	s.25.
Premium, provisions as to	,,	s.25.
Enhancement of rent, provisions as to	,,	ss.24,26,29to 37,41.
,, ,, in respect of old waste	,,	ss.47to49.
Reduction of rent	,,	ss.38,39,41.
Deduction from, in respect of amount paid by raiyat for repair of irrigation works	,,	s.141.
Deduction from rent where tenant's crops or products sold for arrears of revenue, or when tenant pays such arrear	Mad.Act2,1864,	ss.11,35.
See also PERMANENT SETTLEMENT, 2.		
Presumption as to amount and fair rate of	Mad.Act1,1908,	ss.27,28.
Commutation of rent	,,	s.40.
Commuted rent not to be altered for twenty years except in certain cases	,,	s.41.
Alteration of, on alteration of area	,,	ss.42to44.
Payment of, in instalments	,,	s.59.
Appropriation of payments of; penalty for not duly crediting payment	,,	ss.64,65.
Place of payment of	,,	s.66.
Receipts and accounts:		
Receipts to be given	Mad.Reg.25,1802,	s.14.
Landholder to give receipt and retain counterfoil	Mad.Act1,1908,	s.62.
Particulars to be mentioned in receipt: presumption of full payment when receipt does not contain substantially particulars required	,,	s.63.
Penalty for withholding receipt	,,	s.65.
Effect of receipt of person recognised or nominated under s. 3 (5)	,,	s.67.
Deposit of rent:		
Application to deposit rent in office of Collector	,,	s.68.
Receipt given by Collector to be a valid acquittance	,,	s.69.
Notification of receipt of deposit	,,	s.70.
Payment or refund of deposit	,,	s.71.
Bar to suits against Government or Government officer	,,	s.72.
Produce-rents:		
Division or appraisement of produce:		
Power to order officer to make	,,	s.74, 75(*1*).
Procedure for, where officer appointed	,,	ss.75,76.
Rights and liabilities as to possession of crop	,,	s.73.
Change of landholder or ryot:		
Liability for rent on transfer, etc., by landholder	,,	s.148.

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY—*contd.*

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landholders and Tenants—*contd.*

(*b*) RENT—*contd.*

Change of landholder or raiyat—*contd.*

Liability for rent on transfer, etc., by raiyat	Mad.Act1,1908,	s.147.
Distribution of, on sub-division of holding	,,	s.145.
Illegal cesses :		
Prohibition of levy of anything in addition to rent	,,	s.143.
Penalty for exaction by landholder of sum in excess of rent payable	,,	s.144.
Arrears of :		
Rent when deemed to be arrear	,,	s.60.
Interest on	,,	s.61.
Distraint :		
Power of landholder to distrain upon his own responsibility : properties exempted from distraint	,,	s.77.
Procedure for effecting distraint ; distraint to be proportionate to arrear	,,	ss.78to82.
Distrainer's power of entry ; procedure for forcing open outer door or entering zenana	,,	ss.84,85.
Power to reap and preserve standing crop under distraint	,,	s.83.
Distrained property not to be worked or used, liability of distrainer for loss or injury to	,,	ss.86,88.
Claims to distrained property : power to recover distrained property wrongfully conveyed or removed : right of suit	,,	ss.89to91.
Withdrawal of distraint on tender of arrears, etc., or furnishing of security	,,	ss.87,110.
Irregularities in distress to be reported by sale-officer ; effect of ; powers of Collector when distraint found to be groundless or vexatious	,,	ss.103,104.
Application to sale-officer under Act 7, 1839, for sale of distrained property ; distraint to cease if no application made within fifteen days from date of distraint	,,	ss.91to93.
Notice of sale to be served on defaulter or cultivator ; suit before Collector to set aside distress	,,	ss.94to96.
Sale of property	,,	ss.95to107.
Procedure when demand, etc., paid before sale ; deduction from rent where under-tenant pays	,,	ss.87(2),108.
Right under distraint to prevail over attachment by Civil Courts	,,	s.109.
Validity of tender under protest	,,	s.110.
Application of provisions to case of private land or Government raiyatwari-land	,,	s.134.
Powers of Tahsildars for sale of property distrained ; their fees to be credited to Government ; delegation of such powers	Act7,1839,	ss.2,3, 5,6.

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY—*contd.*

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landholders and Tenants—*contd.*

(*b*) RENT—*concld.*

Sale of raiyat's holding :		
Right of landholder to sell holding	Mad.Act1,1908,s.111	
Notice of intention to sell to be served on defaulter through Collector ; suit before Collector to contest right of sale	,,	ss.112to114.
Application to Collector for sale : period of limitation	,,	ss.114,115.
Sale of holding or portion sufficient to realise arrears and costs ; sale to be stopped on payment of arrears and costs : power to allow defaulter time to pay	,,	ss.116to124, 126,127,130, 133.
Rights of purchaser at sale	,,	s.125.
Charge on holding in favour of person interested therein paying arrears and costs to prevent sale	,,	s.128.
Deduction from rent when under-tenant pays arrears and costs to prevent sale	,,	s.129.
Setting aside of sale if arrears, costs and five per centum on purchase-money deposited with Collector within thirty days from sale	,,	s.131.
Sale in execution of decree for :		
Provisions applicable to	,,	ss.132,133.
See also (*a*), (*c*) *and* (*e*).		

(*c*) EJECTMENT AND RELINQUISHMENT.

Raiyat not to be ejected except in accordance with Act	,,	s.9.
Ejectment from old waste of raiyat not agreeing to pay enhanced rent	,,	ss.48(2),49.
,, of occupancy-raiyat for materially impairing of value of holding for agricultural purposes : relief where damage repairable or pecuniary compensation adequate	,,	ss.151,152.
,, of non-occupancy-raiyat	,,	s.153(am. Mad.Act4, 1909,s.8), ss.154,157.
Right of ejected raiyat in respect of crops and land prepared for sowing :	,,	ss.155,156.
Ejectment of tenant of private land for non-payment of arrears of rent : right of tenant to sue in Civil Court for recovery of possession	,,	ss.158to162.
,, of trespasser	,,	s.163.
Relinquishment of holding by raiyat	,,	ss.149,150.

(*d*) COMPENSATION FOR TENANTS' IMPROVEMENTS (MALABAR DISTRICT).

Definitions ; what to be deemed improvements	Mad.Act1,1900,ss.3,4.	
Compensation to be paid for improvements before ejectment ; right to remove structures, trees, etc., which are not deemed improvements	,,	ss.5,7.
Court to determine compensation due when ordering ejectment	,,	s.6.

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY—*contd.*

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landholders and Tenants—*contd.*

(*d*) COMPENSATION FOR TENANTS' IMPROVEMENTS (MALABAR DISTRICT)—*contd.*

Provision for appointment of assessors for estimating compensation	Mad.Act1,1900,s.8.	
Principles for estimating compensation; tables of rates	,,	ss.9to18.
Avoidance of contracts barring rights under Act	,,	s.19.
Saving of rights under other laws	,,	s.20.

(*e*) MISCELLANEOUS.

Right of tenants to institute suit against landholder	Mad.Reg.4,1822.	
Mining rights, reservation of, on admitting person to occupation of raiyati land	Mad.Act1,1908,s.7.	
Threshing floors, etc., and other lands set apart for communal use of villagers not to be assigned or used for any other purpose without written order of District Collector; eviction of persons wrongfully occupying such lands	,,	ss.20to22.
Land presumed to be raiyati land	,,	s.23.
Landholders' right to measure land	,,	s.43.
Damages payable for unauthorised occupation of raiyati land for agricultural purposes: recovery of, as arrears of rent	,,	ss.45,163.
Record of-rights and settlement of rents:		
Power to order survey and preparation of record-of-rights; particulars to be recorded	,,	ss.164,165.
Record-of-rights: preliminary publication: consideration of objections; final publication	,,	s.166.
Settlement of rents: preliminary publication: consideration of objections; amendment and confirmation of settlement-record: appeal to higher revenue-authority; incorporation of settlement-record with record-of-rights: final publication: civil suit for correction of settlement-record: grounds on which such suit may be instituted: decision of higher revenue-authority or Civil Court to be noted in and to form part of record	,,	ss.168to171, 173,174.
Record-of-rights:		
Power of Board of Revenue to direct revision of	,,	s.172.
Correction of *bonâ fide* mistakes in	,,	s.175.
Presumption as to correctness of entries in and of rents settled	,,	ss.167,176.
Settlement of rent when to take effect: restriction on enhancement of settled rent	,,	s.177.
Stay of proceedings in Civil or Revenue Court during preparation of record	,,	s.178.
Jurisdiction of Civil Courts barred in matters, other than rent, relating to record-of-rights: saving of suits for declaration of right	,,	s.179.
Recovery of expenses	,,	s.180.

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY—*contd.*

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landlords and Tenants —*concld.*

(e) MISCELLANEOUS—*contd.*

Record of landholders' private lands—		
Power to order survey and record of landholders' private land	Mad. Act 1, 1908	s.182.
Power to ascertain and record whether land is landholder's private land, on application of landholder or occupant	,,	s.183.
Procedure: application of provisions of ss. 166, 167, 179, 180	,,	s.184.
Rules for determining what land is landholder's private land	,,	s.185.

3. Jurisdiction and Procedure.

Persons aggrieved by proceedings taken under Act may file suit for damages before Collector; saving of right to bring civil suit	,,	s.213.
Suits and applications within exclusive jurisdiction of Revenue Courts: bar to exercise of original jurisdiction by Civil Courts: decision of Revenue Court to be binding on Civil Court	,,	s.189(1) Sch. (Pt. Bam. Mad. Act 4, 1909, s.10).
Place of institution of suits or proceedings under Act	,,	s.209.
Appeals and second appeals: period of limitation for	,,	ss.189(2),(3), 190.
Modifications of Code of Civil Procedure: power of High Court to make rules excluding or modifying portions of Code in its application to suits between landholder and raiyat	,,	ss.192,202.
Joinder of raiyats in suits for enhancement or reduction of rent; power to direct separate trial	,,	ss.193,198.
Payment into Court of money admitted to be due; power to fix amount payable; effect of payment	,,	ss.194 to 197.
Compromise of suit or application between landholder and raiyat	,,	s.199.
Provision as to parties in certain suits and proceedings where landholder in possession is not the owner	,,	s.200.
Certified copy of record-of-rights to be produced by plaintiff in certain cases: effect of failure: Court to have regard to entries in record-of-rights	,,	s.203.
Execution of decree for money passed by Revenue Court	,,	s.201.
Distribution of business and withdrawal and transfer of cases	,,	s.204.
Revision of proceedings of Revenue-officer	,,	s.205.
Appointment of Collectors and District Collectors; power to invest officers with powers of Collector in respect of suits, etc., under Act	,,	ss.206 to 208.

4. Miscellaneous.

Contract:		
Restrictions on exclusion of Act by agreement	,,	ss.187,188.
Limitation in suits; appeals and applications; Indian Limitation Act how far applicable	,,	ss.210,211, Sch. (Pt. B. am. Mad. Act 4, 1909, s.10).

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY—*concld.*

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*concld.*

4. Miscellaneous—*contd.*

Penalties . . . . . Mad.Act1,1908,s.212.
Power to make rules . . . . . „ s.215.
Power to landholders to act through agent . . . . . „ s.214 (rep pt.Mad.Act4, 1909,s 9).

See also REGISTRATION OF LAND, III.

B.—CITY OF MADRAS.

See LAND-REVENUE, XIV.

IX.—PROVINCE OF AGRA.

1. Preliminary.

Act not to extend to certain Scheduled Districts or the Family Domains of the Maharaja of Benares, unless notified . . U.P.Act2,1901,s.1,Sch.I.
Definitions . . . . . „ ss.4,7,8,10,16.

2. Status of Tenants, and General Rights, Powers and Obligations of Landholders and Tenants.

Classes of tenants . . . . . U.P.Act2,1901,s.6.

(1) Permanent tenure-holders—
Intermediate holders holding permanent and transferable interest in land otherwise than under terminable lease from time of permanent settlement at same rate of rent to be called, and to be entitled to hold at that rate; entry at last revision of records to be conclusive evidence; exception . „ ss.7,9.
Interest of, heritable and transferable . . . . . „ s.20(*1*).

(2) Fixed rate tenants—
Tenants holding from time of Permanent Settlement at same rate of rent to be called, and to have right of occupancy at that rate; entry at last revision of records to be conclusive evidence; exception . . . . . „ ss.8,9.
Interest of, heritable and transferable . . . . . „ s.20(*1*)
Enhancement or abatement of rent of, only on the ground of increase or diminution of area of land . . . „ s.40.
Restrictions on ejectment of . . . . . „ s.57(*a*),(*b*),(*c*).

(3) Exproprietary-tenants:
Definition of: such tenants to have occupancy-right in sir-land and in land cultivated by him continuously for twelve years at reduced rate of rent: division of shares where a sharer only becomes an ex-proprietary tenant: restrictions on acquisition of occupancy-right . . . . . „ s.10.
Interest of, heritable; limitation to transferability; line of succession . . . . . „ ss.20(*1*),22.
Enhancement or abatement of rent of: power to decree progressive enhancement . . . . . „ ss.41,42,46.

LANDLORD AND TENANT—*contd.*

IX.—PROVINCE OF AGRA—*contd.*

2. Status of Tenants, and General Rights, Powers and Obligations of Landholders and Tenants—*contd.*

(3) Ex-proprietary-tenants—*contd.*

Restrictions on ejectment of	U.P.Act2,1901,s.57.	
Specification of land in respect of which occupancy-right is created and fixing of rent payable therefor	U.P.Act3,1901,s.36.	

(4) Occupancy-tenants—

Definition of	U.P.Act2,1901,s.16.	
Acquisition of right of occupancy; continuance of existing rights of occupancy; period during which tenant may occupy land after decree for ejectment not to count for right of occupancy	,,	ss.11to17,78.
Bar to acquisition of right of occupancy in sir-land or in land being part of military encamping ground or acquired for public purpose	,,	s.11(*d*),(*e*).
Extinction of right of occupancy	,,	s.18.
Interest of, heritable; limitation to transferability; line of succession	,,	ss.20(*1*),22.
Enhancement or abatement of rent of; power to decree progressive enhancement	,,	ss.41,43,44,46
Restrictions on ejectment of	,,	s.57.

(5) Non-occupancy-tenants:

Who are	,,	s.19.
Interest of, heritable; limitation to transferability: line of succession	,,	ss.20(*1*),22.
,, thekadar heritable but not transferable	,,	ss.20(*2*),21.
Enhancement or abatement of rent of	,,	ss.47,48.
Restrictions or ejectment of: suit for ejectment of, when to be brought	,,	ss.57,58,63,67.
Obligation of, to deliver counterpart on receiving lease	,,	s.96.
Ejectment of, for refusing to accept lease and delivering counterpart.	,,	ss.58(*c*),63,69.
,, ,, refusing to agree to enhancement of rent; no ejectment if tenant agrees to decreed enhancement or if rent fair; right of tenant to continue to hold for seven years	,,	ss.67,68.
Rights on change of holding or variation of rent	,,	s.55.
Ejectment of tenants other than permanent tenure-holders; grounds of	,,	ss.57,58.
,, ,, for arrears of rent, by application to Court	,,	ss.59to62.
,, ,, for other grounds, by suit	,,	ss.63to70.
,, ,, enforcement of decree or order for	,,	ss.71to78.
,, ,, determination of compensation for growing crops	,,	ss.75to77.
,, ,, remedies for wrongful ejectment or upon reversal of decree or order for ejectment	,,	ss.79to82.

LANDLORD AND TENANT—*contd.*

IX.—PROVINCE OF AGRA—*contd.*

3. Rent.

Liability of tenant to pay rent; rent to be first charge on produce: saving of provisions of ss. 2 to 4 of Ben. Reg. 6, 1823, and s. 11 of Act 13, 1857	U.P.Act2,1901,ss.33,34,119.
Presumption as to rent	„ s.35.
Consideration of caste or class of tenant in fixing rent	„ s.37.
Cesses payable as rent, etc., to be recorded: bar to recovery of unrecorded cesses	U.P.Act3,1901,ss.56,86.
Penalty for exaction by landholder of anything in excess of rent	U.P.Act2,1901,s.36.
Enhancement or abatement of rent: suits for, when to be brought and decrees for, when to have effect	„ ss.38,39.
Alteration of rent in case of new assessment of land-revenue; avoidance of lease on refusal to agree to alteration of rent	„ s.49.
Remission of rent by Court in case of diluvion, drought, etc.	„ s.50.
Remission or suspension of rent in case of remission or suspension of revenue	„ s.51. U.P.Act3,1901,ss.101, 234(*l*).
Settlement of rent: power to invest officer with power to settle and reduce or commute rent: exception of permanent tenure-holders and fixed rate tenants	U.P.Act2,1901,s.52.
Rent settled or commuted when to come into effect	„ s.52(*4*).
„ „ restriction on enhancement or abatement of	„ s.53.
„ „ effect of, in case of non-occupancy-tenant	„ s.54.
Power to enhance rent of non-occupancy-tenant in suit for ejectment	„ s.67.
Liability for rent or enhanced rent after surrender of holding	„ ss.83(*2*),84.
Determination of rent payable by ex-proprietary or occupancy tenant by enhancement, abatement, etc.	U.P.Act3,1901,ss.87,90, 91.
Fixing of rent payable by proprietor of mahal attached, etc., under Ch. V or Ch. VIII of U. P. Act 3, 1901, as ex-proprietary tenant	U.P.Act3,1901,s.186.
Payment of, in instalments	U.P.Act2,1901,s.99.
Mode of payment of	„ s.100.
Appropriation of payment of; penalty for not duly crediting payment	„ ss.109,110.
Produce-rents:	
Division or appraisement of produce:	
Power to order officer to make: procedure	„ ss.105,106.
Rights and liabilities as to possession of crop	„ s.104.
Commutation of rent	„ ss.52to54. U.P.Act3,1901,ss.88to91, 104.
Receipts—	
Tenant entitled to written receipt on payment	U.P.Act2,1901,s.107.
Particulars to be contained in; presumption of full payment when receipt does not contain substantially particulars required	„ s.108.

LANDLORD AND TENANT—*contd.*

IX.—PROVINCE OF AGRA—*contd.*

3. Rent—*contd.*

Receipts—*contd.*

Penalty for withholding receipt or not crediting receipts as requested by tenant . . . . . U.P.Act2,1901,s.110.

Deposit of rent:

Application to deposit rent in Court . . . . . „ ss.111,112.

Receipt given by Court to be valid acquittance . . . . „ ss.113,114.

Notification of receipt of deposit . . . . . „ ss.115,116.

Payment or refund of deposit by Court . . . . . „ s.117.

Bar to suit against Government . . . . . „ s.118.

Arrears of rent:

Ejectment for . . . . . „ ss.59to62.

Rent when deemed to be in arrears . . . . . „ s.101.

Interest on arrears . . . . . „ s.101.

Provisions for recovery of . . . . . „ s.102.

Penalties for extortion of payment by duress . . . . „ s.103.

Distraint:

Cases in which distraint may be made; what may be distrained . . . . . „ ss.119(2), 120,121.

Procedure for effecting distraint; distraint to be proportionate to arrear . . . . . „ ss.122,123.

Power to reap and preserve standing crop under distraint . „ s.124.

Resistance to distraint; power to apply to Court for assistance; penalty . . . . . „ ss.126,149.

Withdrawal of distraint on tender of arrears, etc., or furnishing of security . . . . . „ ss.127,143.

Application for sale of distrained property: distraint to cease if no application made within five days from date of distraint . . . . . „ ss.128,129.

Notice of sale to be served on defaulter and cultivator . . „ ss.130,131.

Suit to contest distraint; stay of sale, withdrawal of distraint on furnishing of security or where distraint groundless or vexatious; in other cases Court to determine amount due and authorise sale of distrained property . . „ ss.142to144.

Sale of property . . . . . „ ss.132to141, 144.

Procedure where demand, etc., paid before sale . . . . „ s.133(3).

Right under distraint to prevail over attachment by Court . „ s.148.

Right of under-tenant on whom distraint is levied by superior landholder . . . . . „ s.147.

Saving of suit for compensation for wrongful distraint or sale „ s.145.

Wrongful distraint; compensation and penalty in respect of . „ ss.142(5), 145,146,149.

Suit for, by taluqdars, etc. . . . . „ s.162.

Resumption or assessment to rent of land held under rent free grant: no limitation to suit under Act to assess to rent land held rent-free . . . . . „ ss.150to158.

Effect of payment of rent in good faith to third person . . „ s.198.

Distribution of rent when partition effected . . . . . U.P.Act3,1901,ss.128, 138.

LANDLORD AND TENANT—*contd.*

IX.—PROVINCE OF AGRA—*contd.*

4. Record-of-rights.

See LAND-REVENUE, XVI.

5. Miscellaneous Provisions.

Sub-letting
- Restrictions on . . . . . U.P.Act2,1901,ss.21,24 to26.
- Effect of sub-lease . . . . . „ ss.27to30.
- Secs. 24 to 30 not to apply to sub-leases by thekadars . . „ s.23.
- Division of tenancy or distribution of rent not binding on landholder without his consent . . . . . „ 32.
- Right of landholder to avoid illegal transfer or sub-lease of holding . . . . . „ 1.
- Ejectment on the ground of illegal transfer or sub-lease . . „ ss.57(*d*),64, 66.

Improvements :
- Definition of . . . . . „ s.4(*12*).
- Right to make :
  - By landholder . . . . . „ ss.88,89,94.
  - By tenant ; compensation for . . . . . „ ss.90to93.
- Enhancement of rent for . . . . . „ ss.42(*1*)(*b*), 43(*1*)(*c*).
- Claim for, to be disposed of before ejectment . . . „ ss.61,70.
- Compensation for, on wrongful ejectment . . . . „ s.79(*1*)(*e*).
- Surrender of holding : notice of surrender . . . . „ ss.83to 86.
- Abandonment of holding . . . . . „ s.87.
- Suit for declaration of name of tenant and incidents of tenancy . „ s.95.
- Leases and counterparts, in case of non-occupancy-tenants . „ s.96.
- „ „ attestation of, before, Revenue Court or Revenue-officer when equivalent to registration . . . . . „ s.97

Measurements :
- Landholder's right to measure . . . . . „ s.98.

Contract and custom :
- Restriction on exclusion of Act by agreement . . . „ s.3.
- Custom of taking caste or class of tenant into consideration in fixing rent how far given effect to . . . . . „ s.37.
- Rights on change of holding or variation of rent . . . „ s.55.
- Ejectment to be in accordance with Act only . . . . „ s.56.
- Profits of land : right to recover share of, from lambardar or co-sharer . . . . . „ ss.163to166.

6. Jurisdiction and Procedure.

- Suits and applications within exclusive jurisdiction of Revenue Courts ; bar to exercise of original jurisdiction by Civil Courts . „ s.167,Sch.4.
- Grades of Courts : Courts in which suits and proceedings to be instituted . . . . . „ ss.171to174.

LANDLORD AND TENANT—*contd.*

IX.—PROVINCE OF AGRA—*contd.*

6. Jurisdiction and Procedure—*contd.*

Appeal, review and revision	U.P.Act2,1901,	ss.175to185.
Transfer of cases	„	ss.186to191.
Place of sitting of Revenue Courts	„	s.192.
Modifications of Code of Civil Procedure	„	ss.193,199
Joint owners of property, etc., to act conjointly or by common agent: co-sharer refusing to join as plaintiff in a suit for money to be made defendant	„	s.194.
Joinder of tenants in suits for enhancement or abatement of rent of ex-proprietary or occupancy tenants	„	s.45.
Joinder of sub-lessee or transferee of tenant in suit for ejectment	„	s.64.
Defendant in suit for possession by tenant wrongfully ejected	„	s.81.
Relief against forfeiture	„	ss.65,69.
Question as to jurisdiction in respect of suit, appeal or application; power to refer to High Court in case of doubt: decision of Hight Court final	„	s.195.
Objection as to jurisdiction not to be entertained unless taken in first Court; procedure in Appellate Court in respect of such objection	„	ss.196,197.
Procedure in suits, etc., against tenant where defendant denies relationship of landlord and tenant between himself and plaintiff	„	ss.198to200.
Procedure in suits by taluqdar, assignee of revenue, lambardar or co-sharer in respect of arrears of rent of revenue or of share of profits	„	s.201.
Civil Court to refer to revenue Court defendant pleading that he holds as tenant: issue to be decided in accordance with decision of Revenue Court or against defendant failing to go to Revenue Court	„	s.202.

7. Supplemental.

Power of landholder to act through agent	„	s.5.
Limitation in suits, appeals and applications: Indian Limitation Act how far applicable	„	ss.152(2), 168,169.
Court-fees	„	s.170.
Joint owners of property to act conjointly or by common agent	„	s.194.
Rights of taluqdars, etc., assignees of revenue, lambardars, cosharers, etc., in respect of arrears of revenue or rent or share of profits:	„	ss.159to166, 201.
Power of Local Government to make rules	„	s.203.
Board of Revenue to make rules	„	s.204.

X.—OUDH.

1. Preliminary.

Definitions	Act22,1886,	ss.3,7A,12, 26,37,71,1071

LANDLORD AND TENANT—*contd.*

X.—OUDH—*contd.*

1. Preliminary—*contd.*

Restrictions on exclusion of Act by agreement in the case of tenants other than those having right of occupancy and sub-tenants	Act22,1886,s.4.
Ss. 4, 36 to 48 of Act not to apply to certain areas	„ s.157,Sch.D.

2. Rights, Powers and Liabilities of Landlords, Under-Proprietors and Tenants.

Right of occupancy: what tenants have it	Act22,1886,s.5.
„ „ power of landlord to confer	„ s.6.
„ „ loss of	„ s.7.
„ „ in sir-land of proprietor or under-proprietor on sale, etc., of proprietary or under-proprietary interest; fixing of rate of rent in such case	„ s.7A. U.P.Act3,1901,ss.36,87.
Lease: tenant's right to; rate of rent to be entered in; landlord's right to counterpart	Act22,1868,ss.8to11.
Revenue or rent when deemed to be in arrear	„ s.12.
„ „ deposit of, in Revenue Court, without suit; procedure thereupon; limitation of suits for balance	„ ss.14to16. Schs.A,B.
Rent; receipt to be given for	„ s.13.
„ compensation for illegal enforcement of payment	„ s.17.
„ grounds for abatement of, by suit	„ ss.18,29(4), 35B(2).
„ remission of, by order of Court	„ s.19.
„ proportionate reduction or remission of, when revenue assessment reduced, remitted or suspended	U.P.Act3,1901,ss.101, 234(l).
„ payable in kind; division or appraisement of produce, on application to Revenue Court	Act22,1886,s.31.
„ enhancement of—	
in case of occupancy-tenant	„ ss.33to 35.
„ „ ex-proprietary tenant	„ ss.35A, 35B(1).
„ „ other tenants	„ ss.36to 46,51,67 to69,157. Sch.D.
„ „ land held at a favourable rate	„ ss.107A to107D. 107Gto 107K.
„ increase of rent where assessment of land-revenue increased on account of land added by alluvion	U.P.Act3,1901,s.100.
„ alteration of rent on alteration of area by alluvion or diluvion in case of ex-proprietary tenant	Act22,1886,s.35B.

LANDLORD AND TENANT—*contd.*

X.—OUDH—*contd.*

2. Rights, Powers and Liabilities of Landlords, Under-Proprietors and Tenants—*contd.*

Rent: determination of rent payable by ex-proprietary or occupancy tenant by enhancement, abatement, etc.	U.P.Act3,1901,ss.87,90, 91.
„ interest on arrears	Act22,1886,ss.141,142(3).
„ fixing of rent payable by all except occupancy-tenants on conclusion of settlement of revenue	U.P.Act3,1901,s.79.
„ amount payable by tenant succeeding to vacant holding; exception as to sir-land and land comprised in thika, mortgage or sub-tenancy	Act22,1886,ss.47to50,67, 68,157,Sch.D.
„ amount payable for land occupied without consent of landlord: tenant not to have privileges conferred by Act	„ s.127.
„ proprietor's lien for rent payable by under-proprietor	„ s.154.
„ resumption or assessment to rent of land held under rent-free grants	„ 107Ato107K.
„ distribution of, when partition effected	U.P.Act3,1901,ss.128, 138.
„ distress and sale for recovery of arrears	Act22,1886,ss.72to107, Sch.C.
Cesses; list of valid cesses to be prepared; bar to recovery of unrecorded cesses after preparation and recording of list	U.P.Act3,1901,s.86.
Commutation of rent	„ ss.88to91,104.
Fixing of rent payable by proprietor or under-proprietor as ex-proprietary tenant of mahal attached, farmed, etc.	„ ss.186,187.
Relinquishment or abandonment of holding	Act22,1886,ss.20,21.
Improvement; definition of	„ s.26.
Improvement by tenant:	
Compensation for, before ejectment; landlord's consent or Deputy Commissioner's permission required to improvements after commencement of Act; registration of outlay on improvement; exception as to sir-land and land comprised in thika, mortgage or sub-tenancy	„ ss.22to25, 67,68.
Compensation for, when tenant refuses to accept enhancement of rent and vacates holding	„ ss.46,157, Sch.D.
„ „ payable to heir of deceased tenant	„ ss.48,157, Sch.D.
„ „ how estimated and paid	„ ss.27,28.
Improvement by landlord: consent of tenant when required; tenant when entitled to abatement of rent	„ s.29.
„ „ enhancement of rent for	„ s.50.
Landlord's right to enter land for purpose of survey or measurement	„ s.30.
Ejectment of tenant's holding on special terms, to be by decree only	„ s.52.
„ of other tenants by notice, by application to Deputy Commissioner or by suit	„ ss.53to62,69.
„ time for	„ ss.63,64.
„ determination of compensation for improvements	„ ss.57,58,65.

LANDLORD AND TENANT—*contd.*

X.—OUDH—*contd.*

2. Rights, Powers and Liabilities of Landlords, Under-Proprietors and Tenants—*concld.*

Ejectment compensation for growing crops	Act22,1886,	s.66.
Rights conferred on tenants by ss. 24,36 to 39 and 45 to 48—		
not to accrue to cultivators of sir-land	,,	s.67.
not to be acquired in respect of lands held in thika, mortgage or sub-tenancy	,,	s.68.
Lease for eight years or upwards: enhancement and ejectment in case of tenant having	,,	s.69.
Change in rent or area of holding to be entered in 'patta' and counterpart thereof	,,	s.70.

3. Jurisdiction and Procedure.

Bar to jurisdiction of Civil Courts in certain cases	,,	s.108.
Grades of Revenue Courts	,,	s.109.
Place of sitting of Revenue Courts	,,	s.128.
	Act20,1890,	s.63.
Powers of officers, and conferment of powers on them	Act22,1886,	ss.110 to 115.
Limitation of suits	,,	ss.129 to 134.
Limitation of suits for resumption, assessment or enhancement of rent of land held rent-free or at favourable rates	,,	ss.107(c)(2),107E.
Appeals to Revenue Courts; limitation	,,	ss.116,118
Appeals from decrees, etc., in suits for resumption, assessment or enhancement of rent of land held rent-free or at favourable rate	,,	s.107K.
Appeal to District Judge and Judicial Commissioner; limitation; procedure; second appeal	,,	ss.119,119A, 119B,119C.
Appeal from order of Deputy Commissioner acting as such	,,	s.120.
Power for Board of Revenue to review its own orders; limitation of applications for review	,,	s.120.
Distribution of business by Deputy Commissioner	,,	s.121.
Transfer of suits and other proceedings	,,	ss.122,123.
Subordination of Revenue Courts	,,	s.124.
Reference by Civil or Revenue Court to Judicial Commissioner of question as to jurisdiction	,,	s.124A.
Procedure in case of objection that suit was instituted in wrong Court	,,	ss.124B,124C
Suits may be brought by or against agents or tahsildars of estates held under direct management	,,	s.125.
Application of Code of Civil Procedure to suits and other proceedings under Act	,,	s.135.
Notices; service of	,,	s.136.
Plaints; additional particulars to be stated in	,,	s.137.
Third person claiming rent to be made a party to suit	,,	s.138.
Summons in certain cases to be for final disposal of suit	,,	s.139.
Restriction on set-off in suit for arrears of rent	,,	s.140.
Payment of money into Court by defendant	,,	ss.142,143.

LANDLORD AND TENANT—*contd.*

X.—OUDH—*concld.*

3. Jurisdiction and Procedure—*contd.*

Power of Court to make local investigation instead of issuing commission; application of Code of Civil Procedure, s. 393[1]	Act22,1886,s.144.
Decree; execution of	,, ss.145,146,148, 151,152.
,, for enhancement of rent to state date from which enhancement takes effect	,, s.147.
,, for delivery of patta or counterpart: decree to specify certain particulars; grant of patta or counterpart by Court	,, ss.149,150.
Right of pre-emption at execution-sale	,, s.155.
Disposal of appeals pending when Act 20, 1890, Part II, came into force	Act20,1890,s.54.

4. Miscellaneous.

Sharer to exercise certain powers only through general manager or lambardar or pattidar	Act22,1886,s.126.
Registration: certain incumbrances invalid in case of sale in execution of decree, unless registered	,, s.153.
Registration of certain pattas not required	,, s.156.
Power of Board of Revenue to make rules	,, s.158.

XI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE.

A.—ORDINARY TENANCIES.

1. Preliminary.

Act 16, 1887, does not extend *proprio vigore* to Hazara District	Act16,1887,s.1.
,, applied to Hazara District with modifications in ss. 5, 10, 11, 22, 24, 76 and addition of s. 27A	(Haz.)Reg.13,1887,s.3. Reg.3,1904.
Definitions	Act16,1887,s.4.
Definition of "legal practitioner" in s. 4 of Act 16, 1887, amended in N. W. F. Province	Reg.7,1901,s.3,Sch.I.

2. Right of Occupancy.

What tenants have right	Act16,1887,ss.5,6. (Haz.)Reg.13,1887,s.3(*1*).
Right retained when tenant exchanges land for other land belonging to same landlord	Act16,1887,s.7.
Saving of power to establish right in unspecified cases	,, s.8.
Right not acquirable by mere lapse of time	,, s.9.
Right not to be acquired by joint owner in land held in joint ownership	,, s.10. (Haz.)Reg.13,1887,s.3(*2*).
Continuance of rights held at commencement of Act	Act16,1887,s.11. (Haz.)Reg.13,1887,s.3(*3*).
Right declared by s. 5:	
Private sale, gift or mortgage of; landlord's right of pre-emption	Act16,1887,ss.53,54.

[1] The Code of Civil Procedure (Act XIV of 1882) has been repealed by Act 5, 1908.

LANDLORD AND TENANT—*contd.*

XI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—ORDINARY TENANCIES—*contd.*

2. Right of Occupancy—*contd.*

Application of provisions of Act 13, 1900	(Punj.) Act 13, 1900, s. 2A (add. P. Act 1, 1907, s. 3).
Sale of, in execution of decree or order of Court; landlord's right of pre-emption	Act 16, 1887, s. 55.
Right acquired otherwise:	
Not to be attached or sold under decree or order of Court, and not to be transferred by private contract without previous consent of landlord	,, s. 56.
Right and liabilities of transferee of	,, s. 57.
Power of tenant having right of occupancy to sublet land; joint liability of tenant and sub-lessee	,, s. 58.
Succession to; limit to term of transfer by widow	,, s. 59.
Transfers unlawfully made are voidable at instance of landlord	,, s. 60.
Partition of tenancy in which right of occupancy subsists. [*For details, see* LAND-REVENUE, XV, 4 (*e*)]	Act 17, 1887, ss. 111 to 135, 158 (xvii), (xviii).
Nullity of agreements overriding provisions of Act as to acquisition of	Act 16, 1887, s. 110.
Saving of entries in settlement record as to letting or under-letting of land or alienation of or succession to land	,, s. 112.

As to loss of, *see also below*, 4.

3. Rent.

(*a*) *Generally.*

Rent the first charge on produce of land; respective rights of landord and tenant as to produce	,, s. 12.
Commutation and bar to enhancement	,, s. 13.
Saving of entries in settlement-record as to commutation of rent or taking of rent by division or appraisement of produce	,, s. 112.
Payment to be made for land occupied without consent of landlord	,, s. 14.
Tenant not bound to pay his rent in shares to different landlords	,, s. 15.
Presumption against tenant removing produce so as to prevent division or appraisement, or dealing with produce contrary to established usage	,, s. 16.
Division or appraisement of produce by referee; appointment of assessors; procedure of referee; power of referee and assessors to enter land; order by Revenue-officer on receipt of referee's record	,, ss. 17 to 19.
Deposit of money-rent with Revenue-officer, for payment to landlord	,, ss. 31, 32.
Recovery of rent from produce attached by Revenue-officer	,, s. 33.
Avoidance of leases or agreements on expiry of term for which land-revenue was assessed	,, s. 34(*1*).
Agreements made for term of assessment when to continue until revised assessment takes effect	,, s. 34(*2*).
Power to make rules as to payment of rent	,, s. 106.
Partition not to affect joint liability for rent, except with express consent of landlord	Act 17, 1887, s. 110(*2*).

LANDLORD AND TENANT—*contd.*

XI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—ORDINARY TENANCIES—*contd.*

3. Rent—*contd.*

(*b*) *Enhancement and Reduction of Rents.*

Bar to enhancement in certain cases	Act16,1887,s.13.	
Enhancement and reduction of produce rent paid by tenant having right of occupancy	,,	s.20.
Enhancement of cash-rent of tenant having right of occupancy	,,	s.22.
	(Haz.)Reg.13,1887,s.3(*4*).	
Reduction of cash-rent of tenant having right of occupancy	Act16,1887,s.23.	
Enhancement or reduction by Revenue Court of rent of tenant having right of occupancy; bar to institution of fresh suit for term of years	Act16,1887,s.24[am.in Haz.Reg.13, 1887,s.3(5)].	
Enhancement or reduction of rent by Revenue Court—		
limit to	,,	s.25.
when to take effect	,,	s.26.
Enhancement of rent of tenant having right of occupancy in consequence of improvements by landlord; reduction of rent when improvement ceases to exist	,,	s.62.
Nullity of agreements overriding provisions of Act as to reduction of rent or enhancement of rent of tenant having right of occupancy	,,	s.110.
Saving of entries in settlement-record as to enhancement or abatement of rent of tenant having right of occupancy	,,	s.112.

(*c*) *Other Alterations of Rents.*

Adjustment of rents expressed in terms of the land-revenue	,,	ss.27,27A(added for Haz., Reg.3,1904,s.2).
Alteration of rent on alteration of area	,,	s.28.
Remission of rent, on ground of diminution of area or produce, by Court decreeing arrears	,,	s.29.
Remission or suspension of rent by Revenue-officer when land-revenue remitted or suspended; bar to jurisdiction of Civil Courts	,,	s.30(am.in Pun.P.Act1, 1906,ss.3to5).
Nullity of agreements overriding provisions of Act as to remission or suspension of rent	,,	s.110.

4. Cessation of Tenancy.

Relinquishment, without notice, by tenant for a fixed term	,,	s.35.
,, after notice, by other tenants	,,	ss.36,52.
,, consent of landlord required to relinquishment of part only of tenancy	,,	s.37.
Extinguishment of right of occupancy—		
when tenant fails for more than one year to cultivate and pay rent	,,	s.38.
when tenant leaves no successor	,,	s.59(*4*).

LANDLORD AND TENANT—*contd.*

XI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—ORDINARY TENANCIES—*contd.*

4. Cessation of Tenancy—*contd.*

Ejectment: liability to, of—		
tenant having right of occupancy	Act 16, 1887,	s.39.
„ not holding for fixed term	„	s.40.
other tenants	„	s.41.
„ cases in which tenant may be ejected without decree for ejectment; ejectment in such cases to be made by Revenue-officer or Revenue Court; procedure	„	ss.42 to 45, 46, 52.
„ time for	„	ss.47, 52.
„ not to be decreed if injury remedied or compensation paid by tenant	„	s.48.
„ rights of ejected tenants in respect of crops and land prepared for sowing	„	ss.49, 74.
„ right of tenant to institute suit in case of wrongful dispossession or ejectment	„	s.50.
„ bar of relief by suit under Specific Relief Act, 1877, s. 9	„	s.51.
„ nullity of entries in record-of-rights or agreement inconsistent with provisions of Act as to	„	s.109.

5. Improvements and Compensation.

Improvements by landlord on tenancy of tenant having right of occupancy:		
Not to be made without previous permission of Collector	„	s.61.
Enhancement of rent in consequence of; reduction of rent when improvement ceases to exist	„	s.62.
Improvements by tenant:		
Right of tenant having right of occupancy to make improvements	„	s.63.
Other tenants may make improvements with landlord's assent	„	s.64.
Improvements made before commencement of Act when deemed to be made under Act	„	s.65.
No ejectment or enhancement until tenant has received compensation for improvements	„	s.68.
No compensation for improvements begun in anticipation of ejectment	„	s.66.
Tender of lease for 21 years to tenant to be a bar to right to compensation	„	s.67.
Compensation for disturbance of tenant who has cleared and cultivated waste-land	„	s.69.
Determination of compensation by Revenue Courts and officers; stay of proceedings till compensation paid	„	ss.70, 71.
Ejectment not invalidated by omission to pre-determine compensation, but amount may be determined afterwards	„	s.74.
Matters to be considered in assessment of compensation for improvements	„	s.72.

LANDLORD AND TENANT—*contd.*

XI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—ORDINARY TENANCIES—*contd.*

5. Improvement and Compensation—*contd.*

Form of compensation	Act16,1887,s.73.
Nullity of entries in record-of-rights and agreements inconsistent with provisions of Act as to tenant's improvements or compensation	,, ss.109,110.

6. Jurisdiction and Procedure.

Revenue-officers having jurisdiction under Punjab Land-revenue Act, 1887, to act under Tenancy Act	,, s.75(am.in N.W.Fr.,Reg. 7,1901,s.3, Sch.I).
Applications and proceedings cognizable by Revenue-officers; bar to jurisdiction of Courts	,, s.76(am. inHaz. Reg.3,1904,s.2).
Revenue Courts, and suits cognizable by them; bar to jurisdiction of other Courts	,, s.77.
[1]S. 424 of Code of Civil Procedure, and s. 38 of Punjab Municipal Act, 1891 (notice of suit against public officer), not to apply to suit cognizable by Revenue Court	,, s.94.
Administrative control over Revenue-officers and Revenue Courts	,, ss.78(am.in N.-W.Fr.,Reg. 7,1901,s.3,Sch. I),s.79.
Appeal, review and revision; court-fees	,, ss.80to84(ss. 80,81,84am.in N.-W.Fr.,Reg. 7,1901,s.3, Sch.I).
Procedure of Revenue-officers; appearances before them; costs	,, ss.85to87.
Procedure of Revenue Courts	,, s.88.
Power of Revenue-officer or Revenue Court to summon persons; service of summons	,, ss.89,90.
Service or publication of notices, proclamations, etc.	,, ss.91,92.
Joinder of tenants as parties to proceedings relating to rent	,, s.93.
Payment into Court of money admitted to be due to third person	,, s.95.
Execution, against moveable property or any ungathered crops, of decree for rent	,, s.96.
Prohibition of imprisonment in execution of decree for arrears of rent	,, s.97.
Power of Revenue Court to refer party to Civil Court	,, s.98.
Power of Civil or Revenue Court to refer to Chief Court question as to jurisdiction	,, s.99.
Power of Chief Court to validate proceedings had in Civil or Revenue Court under mistake as to jurisdiction	,, s.100.

7. Miscellaneous.

Nullity of certain entries in record-of-rights, and saving of certain other entries	,, ss.109,112.

[1] The Code of Civil Procedure (Act XIV of 1882) has been repeale by Act 5, 1908.

LANDLORD AND TENANT—*concld.*

XI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*concld.*

A.—ORDINARY TENANCIES—*concld.*

7. Miscellaneous—*contd.*

Nullity of certain agreements contrary to Act; saving of other agreements in writing	Act16,1887,ss.110,111.
Discharge of duties of Collector dying or being disabled	,, s.103.
Retention of powers of Revenue-officer on transfer	,, s.104.
Conferment of powers of Revenue-officer or Revenue Court	,, s.105.
Place of sitting of Revenue-officers and Revenue Courts	,, s.101.
Holidays	,, s.102.
Rules: general power of Financial Commissioner to make	,, s.106.
,, sanctioning of; and publication of, in draft	,, ss.106(3), 107.
Powers of Financial Commissioner exerciseable from time to time	,, s.108.
Exercise of functions of Financial Commissioner and Commissioner by Revenue Commissioner in N.-W. Fr.	Reg.7,1901,s.6(2).

B.—GOVERNMENT TENANCIES.

Power to apply Act to any tract of land the property of Government	Act3,1893,s.3.
,, to issue statement of conditions on which Government is willing to grant land in such tract to tenants	,, s.4.
Maintenance of register of such tenancies; effect of registration	,, ss.5to7.
Restrictions on alienation of rights and interests in such tenancies	,, s.8.
Recovery of Government dues in respect of such tenancies	,, s.9.

LANDLORD AND TENANT PROCEDURE ACT, 1869 (*See* LANDLORD AND TENANT, II) . . . Ben.Act8,1869.

LAND PRESERVATION (CHOS.) ACT (PUNJAB), 1900 . P.Act2,1900.

LAND PRESERVATION.

Definitions	P.Act2,1900,s.2
Power of Local Government to notify arrears requiring provisions for better preservation and protection	,, s.3.
,, of Local Government to regulate, restrict or prohibit certain matters relating to the clearing and cultivation of land, quarrying of stone, cutting, boring, removing, etc., of trees or forest-produce, pasturing cattle, etc., in notified areas; compensation; extinction of private rights exercise of which is permanently prohibited	,, ss.4to7 (s.5,am. P.Act1, 1905,s.2), s.15(4).
,, of Local Government to declare bed of *chos* to be vested permanently or temporarily in Government in certain cases; power to fix area so vested and take possession; extinguishment or suspension of private rights; bar to claim for compensation; disposal of beds permanently vested in Government; ascertainment of price	,, ss.8to12.
,, to enter upon, survey, demarcate boundaries, etc., of land or beds	,, s.13.
Inquiry into claims and award of compensation; effect of award	,, ss.14,15.

LAND PRESERVATION—*contd.*

Appeal, review and revision	P.Act2,1900,s.18.
Record-of-rights in respect of notified areas	,, s.16.
Penalties	,, s.19.
Application of provisions of ss. 52 to 61, 63 (excluding last sentence), 64 to 67 and 72 of Indian Forest Act, 1878	,, s.20.
Notices, orders, proclamations, etc., how served or made	,, s.17.
Power to make rules	,, s.22.
Bar of suit against Government or public servant	,, s.21.

LAND RATE, LOWER BURMA. *See* CAPITATION TAX OR LAND RATE IN LIEU THEREOF.

LAND RECORDS MAINTENANCE ACT, 1895 (*See* LANDLORD AND TENANT, III, IV; REGISTRATION OF LAND)	Ben.Act3,1895.
LAND REGISTRATION ACT, 1876 (*See* LAND-REVENUE, III 4, V; REGISTRATION OF LAND)	Ben.Act7,1876.
LAND REGISTRATION ACT (MALABAR), 1895 (*See* LAND-REVENUE, XIII, 4; REGISTRATION OF LAND)	Mad.Act3,1896.
LAND-REVENUE ACT (BOMBAY CITY), 1876	Bom.Act2,1876.
,, ,, (CENTRAL PROVINCES), 1881	Act18,1881.
,, ,, ,, ,, 1889	Act16,1889.
,, ,, (PUNJAB), 1887	Act17,1887.
,, CODE (BOMBAY), 1879	Bom.Act5,1879.
,, REGULATION (BENGAL) 1793 [1]	Ben.Reg.2,1793.

LAND-REVENUE.

1793. Ben. Reg. 2 (Revenue-officers; Settlement; Collection: Bengal and Assam).
,, Ben. Reg. 8, except ss. 49 to 55 and 64 to 66 (Settlement and Assessment: Bengal and Assam).
,, Ben. Reg. 19 (Revenue-free grant; Assessment: Bengal).
,, Ben. Reg. 37 (Revenue-free grants; Assessment: Bengal).
1794. Ben. Reg.3, s.13(Arrears: Bengal).
1800. Ben. Reg. 8, s. 19 (Registration; Assessment; Bengal).
1801. Ben. Reg. 1, ss. 10, 14 (Sales for arrears; Irregular separation of taluqs: Bengal).
1803. Mad. Reg. 1 (Board of Revenue).
,, Mad. Reg. 2 (Collectors, etc).
1804[2] Mad. Reg. 5, s. 14 (*4*) (Recovery of arrears, Madras Presidency).
1805. Ben. Reg. 12 (Settlement, etc., Cuttack).
1812. Ben. Reg. 5, ss. 24, 25 (Arrears: Bengal).
,, Ben. Reg. 18, s. 2 (Apportionment: Bengal).
1814. Ben. Reg. 29 (Ghatwali Mahals, Beerbhoom).
1816. Ben. Reg. 5, ss. 5, 6 (Kanungos: Bengal).
1817. Mad. Reg. 8, s. 9 (Arrears).
1819. Ben. Reg. 1, s. 4 (*1*) (Kanungos: Bengal).
,, Ben. Reg. 2 (Revenue-free grants; Assessment: Bengal).
1821. Ben. Reg. 4 (Revenue-officers; Districts; Arrears: Bengal).
1822. Ben. Reg. 3 (Board of Revenue; Settlements: Bengal.)
,, Ben. Reg. 7 (Revenue-officers; Settlement: Collection of Land-revenue: Bengal).
,, Ben. Reg. 11, s. 36 (Khas management: Bengal).
1825. Ben. Reg. 9 (Settlement, etc., Bengal).
,, Ben. Reg 13 (Revenue-free grants, Bengal).
,, Ben. Reg. 14 (Revenue-free grants, Bengal).
1828. Ben. Reg. 3 (Special Commissioners; Assessment; Revenue-free grants: Bengal).

[1] This short title was given by Act 5, 1897, s. 4.
[2] Rep., except in Scheduled Districts, by Mad. Act 1, 1902; not indexed.

LAND-REVENUE—*contd.*

1828. Ben. Reg. 4 (Settlement, Bengal).
,, Mad. Reg. 7, s. 3 (Assistant Collectors, Madras Presidency).
1829. Ben. Reg. 1 (Commissioners; Board of Revenue; Divisions and Districts: Bengal).
1831. Mad. Reg. 10, s. 2 (*1*) (Recovery of arrears, Madras Presidency).
1833. Ben. Reg. 9 (Settlement; Accounts; Deputy Collectors: Bengal and North-Western Provinces).
1836. Act 21 (Districts; Bengal).
1838. Act 16 (Suits, Bombay Presidency).
1839. Act 7, ss. 2, 3, 5, 6 (Arrears, Madras Presidency).
1841. Act 12 (Arrears, Bengal).
1847. Act 9, ss. 1, 5, 6, 9 (Alluvion, etc., Bengal).
1849. Act 10 (Board of Revenue, Madras).
1850. Act 23 (Land-revenue, Calcutta).
,, Act 44 (Board of Revenue, Bengal).
1851. Act 12 (Land-revenue, City of Madras).
1852. Act 11 (Revenue-free lands: Bombay Presidency, except City of Bombay).
1856. Act 18, s. 3 (Deputy Collector, Calcutta).
1857. Act 7, ss. 1, 3, 6 (Deputy Collectors, Madras Presidency).
1858. Act 31 (Settlement of alluvial land, Bengal).
1859. Act 11, except ss. 38 to 51 (Separate Accounts; Arrears: Bengal).
1862. Ben. Act 3, s. 3 (Fees, Bengal).
,, Ben. Act 7, s. 2 (Revenue-free grants, Bengal).
,, Mad. Act 4 (Inam Lands, Madras Presidency).
1863. Bom. Act 2 (Revenue-free lands; Bombay Presidency, except City of Bombay).
,, Bom. Act 7 (Revenue-free lands: Bombay Presidency, except City of Bombay).
1864. Ben. Act 4 (Districts, Bengal).
Mad. Act 2 (Recovery of revenue).
1865. Bom. Act 1, s. 37 (Leases to Khots).
,, Mad. Act 1 (Limits of Districts).
1866. Act 26 (Sub-settlement, Oudh).
,, Mad. Act 4 (Inam Lands, Madras Presidency).
1867. Mad. Act 6 (Land-revenue, City of Madras).
1868. Ben. Act 3 (Limitation of Appeals, Bengal).
,, Ben. Act 7 (Arrears, Bengal).
1869. Mad. Act 3 Summoning of witnesses).
,, Mad. Act 8 (Inam Lands, Madras Presidency).
1871. Act 23, s. 7 (Suits for Inam Lands, Madras Presidency).
1872. Reg. 3, ss. 3, 5, 9 to 17, 23 to 26 (Settlement, Santhál Parganas).
1874. Act 15, ss. 4 to 7 (Laws Local Extent).
,, Reg. 7 (Punjab Frontier).
,, Reg. 9, ss. 10, 11, 13, 14 (Laws, Arakan Hill Districts).
1876. Act 2, ss. 1, 3, 23 to 33, 35 to 38, 41 to end (Land and Revenue, Lower Burma).
1876. Act 10 (Suits in Civil Courts, Bombay Presidency).
,, Ben. Act 7, ss. 69 to 74 (Separate Accounts; Arrears: Bengal).
,, Bom. Act 2, ss. 3 to 23, 30 to end (Land-revenue, Bombay City).
,, Mad. Act 1, ss. 1 to 4, 7, 8 (Assessment).
1877. Reg. 2, ss. 2, 37 to 40, 57 to 100, 106 to end (Land and Revenue, Ajmere).
1879. Ben. Act 9, ss. 23 to 26 (Recovery of arrears, Bengal and Assam).
,, Bom. Act 5, ss. 3 to 36, 45 to 52, 54 to 56, 58, 59, 61, 62, 75 to 81, 88 to 125, 136 to 218 (Land-revenue; Bombay Presidency, except City of Bombay).
1880. Bom. Act 1, ss 1, 3, 4, 16 to 30, 32, 36 to 40 (Khots).
1881. Act 18 (Land-revenue, Central Provinces).
1883. Act 19, s. 11 (Loans).
1885. Act 7, s. 2 (Panch Mahals).
1886. Act 2, s. 48 (Income-tax).
,, Reg. 1, ss. 1 to 3, 17 to end (Land and Revenue, Assam).
1887. Act 16, ss. 27, 109, 111, 112, Agricultural Tenancies, Punjab).
,, Act 17 (Land-revenue, Punjab).
1888. Bom. Act 6 (except s. 34) (Gujarat Taluqdars).

LAND-REVENUE—*contd.*

1889. Act 16, s. 40 (Land-revenue, Central Provinces).
,, Reg. 3, ss. 4 to 21, 27 to 30, 37 to end (Land and Revenue, Upper Burma).
1890. Act 1 (Revenue Recovery, British India generally).
,, Act 20, s. 11 (United Provinces).
1893. Mad. Act 5 (Summoning of witnesses).
1894. Mad. Act 1 (Board of Revenue).
,, Reg. 1, s. 3 (Laws, Angul District).
1896. Mad. Act 1 (Malabar and South-East Wynaad).
,, Mad. Act 3, ss. 13, 15, 17 (Recovery of Revenue, Malabar and South-East Wynaad).
1897. Ben. Act 5, s. 16 (Partition of Estates).
1898. Act 11, s. 98 (Tenancy, Central Provinces).
,, Act 13, s. 4 (Laws, Burma).
,, Bur. Act 4, ss. 1, 2, 4, 22 to 26, 36, 38 to 46 (Land, Lower Burma Towns and Villages).
1899. Reg. 1 (Land-revenue, Coorg).
1900. Reg. 1, s. 18 (2) (Chittagong Hill Tracts).
,, Reg. 6, s. 5 (District Fund, Coorg).
1901. Reg. 7, ss. 2, 3, 6, 93 (Laws, N.-W. Fr.).
,, U. P. Act 2, ss. 159 to 162 (Tenancy, Agra).
,, U. P. Act 3 (Land-revenue, U. P.).
,, Bom. Act 6, s. 5 (Land-revenue Amendment).
1902. Reg. 4 (Teri Dues).
1903. Bom. Act 4, s. 13 (Land, Record-of-Rights).
,, U. P. Act 2, s. 16 (Alienation of Land, Bundelkhand).
1904. Act 7, s. 8 (Ancient Monuments).
,, Ben. Act 3, ss. 33, 34 (Settled Estates).
,, U. P. Act 3, s. 15 (Benares Family Domains).
1905. Bom. Act 2, s. 2 (Taluqdars, Gujarat).
,, Act 7 (Laws, Bengal and Assam).
1908. Act 5, ss. 4, 5 (Civil Procedure).

I.—GENERALLY.

II.—AJMERE
1. Preliminary.
2. Assessment of land-revenue.
3. Settlement-record.
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III.—BENGAL (EXCEPT CALCUTTA)
1. Preliminary.
2. Revenue-authorities.
3. Settlement, and Assessment of land-revenue.
(a) SETTLEMENT GENERALLY.
(b) ASSESSMENT GENERALLY.
(c) REVENUE-FREE GRANTS.
(i) *Non-badshahi lakhiraj grants.*
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IV.—CALCUTTA.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM

A.—GENERALLY.
1. Preliminary.
2. Revenue-authorities.
3. Settlement, and Assessment of land-revenue.
(*a*) SETTLEMENT GENERALLY.
(*b*) ASSESSMENT GENERALLY.
(*c*) REVENUE-FREE GRANTS.
(i) *Non-badshahi lakhiraj grants.*
(ii) *Badshahi lakhiraj grants.*
(iii) *Grants for holding lands under tenures limiting the Government demand.*
(iv) *Miscellaneous.*
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B.—ASSAM.
1. Preliminary.
2. Revenue, Settlement and Survey Officers.
3. Settlement.
(*a*) GENERAL.
(*b*) SURVEY AND DEMARCATION OF LAND.
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Suits in Civil Courts.

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(*a*) GENERALLY.
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LAND-REVENUE—*contd.*

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- 1. Preliminary.
- 2. Establishments.
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- 2. Assessment of land-revenue.
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XI.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT IN BENGAL
- 1. Preliminary.
- 2. Revenue-officers.
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LAND-REVENUE—*contd.*

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I.—GENERALLY.

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Exemption from land-revenue of improvements made with aid of loan granted by Government	Act19,1883,s.11.
Recovery, beyond district in which it accrued, of—	
land-revenue	Act1,1890,s.3,Sch.
sum recoverable as arrear of land-revenue	,, ss.3,5.
Payment under protest of sum sought to be so recovered ; suit for recovery of sum so paid	,, s.4.
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Saving of local laws	,, s.7(*a*).
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Application of Act to recovery in British India of land-revenue, or sums recoverable as arrears of land-revenue, accruing due out of British India	,, s.8.
Act 1, 1890, extends to whole of British India, including British Baluchistan	,, s.1.
,, ,, declared in force in Angul District	Reg.1,1894,s.3.
,, ,, ,, ,, Santhál Parganas	Reg.3,1872,s.3,Sch.
,, ,, ,, ,, Upper Burma except Shan States.	Act13,1898,s.4,Sch.1.
Raja of Benares deemed to be Collector for the purposes of Act 1, 1890, s. 3, in Family Domains	U.P.Act3,1904,s.15.
Purchaser of estate at sale for arrears of revenue bound by agreement under ss. 4, 5 of Ancient Monuments Preservation Act, 1904, executed by owner for the time being	Act7,1904,s.8.

II.—AJMERE.

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2. Assessment of Land-revenue.

No exemption from or assignment of land-revenue allowed except under sanad ; power to grant sanad	,, ss.37,38.
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LAND-REVENUE—*contd.*

II.—AJMERE—*contd.*

2. Assessment of Land-revenue—*contd.*

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Effect of acceptance of assessment; sanction of Governor General in Council required to bind Government	,, s.61.
Joint and several liability for revenue of persons accepting assessment Perfect partition not allowed without previous sanction of Chief Commissioner	,, s.64.
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Application of ss. 64 and 71 to settlement concluded in 1874	,, s.72.

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Preparation of; entries in, to be made on basis of actual possession and existing usage; authentication of entries in	,, ss.65,66.
Appeal to Revenue-officer, or institution of suit in Civil Court, by person aggrieved by entry in	,, s.67.
Presumption of correctness of entries in	,, s.68.
Delivery of, to Collector	,, ss.2,69,first para.
Maintenance of	,, s.69,second para.,s.70.
Ss. 68 and 70, and second para. of s. 69, of Reg. 2, 1877, repealed as to certain estates	Reg.3,1895,s.6,Sch.
Making of annual record; penalty	[1]Act17,1887,ss.33,35,39, 40,98.
Determination of disputes as to entries in settlement-record, annual record or register of mutations	,, s.36.
Restrictions in variation of entries in records	,, s.37.
Fees for entries in record or register	,, ss.38,98.
Presumption as to correctness of entries in records	,, s.44.
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Power to make rules as to records and registers and for conduct of enquiries	,, s.46.
Continuance of record-of-rights until new record made	Reg.2,1877,s.71.
Application of Reg. 2, 1877, ss. 67 to 71, to settlement concluded in 1874	,, s.72.

4. Collection of land-revenue.

Instalments, places and times at and in which payments to be made	,, s.73.
Arrear of land-revenue:	
Definition of "arrear" and "defaulter"	,, s.74.

[1] As in force in Ajmere by notification under the Scheduled Districts Act, 1874.

LAND-REVENUE—*contd.*

II.—AJMERE—*concld.*

4. Collection of Land-revenue—*contd.*

Processes for recovery of: arrest and detention of defaulter; attachment and sale of moveables; attachment of estate without cancellation of settlement, leases, etc.; transfer of estate to solvent malguzar or incumbrancer; sequestration of estate, with cancellation of settlement, leases, etc.; attachment of other immoveable property of defaulter	Reg.2,1877,ss.75to96.
Recovery of, through headman; abolition of village-headman's power of distraint	,, ss.98to100.
Recovery, as arrears of land-revenue, of—	
rent payable to Government	,, s 97(*b*).
fees, costs and other money payable under Reg. 2, 1877	,, s.97(*c*)
Fees and fines under Act 17, 1887	[1]Act17,1887,s.98.

5. Subordinate Officers.

Power to make rules as to appointment and removal of circle-headmen, village-headman and patels, and investigation of charges of misconduct of subordinate Revenue-officers	Reg.2,1877,s.110(*c*),(*e*).

See also PATWARIS AND KANUNGOS.

6. Miscellaneous.

Erection and repair of boundary-marks	,, s.106.
Powers with which Revenue-officers may be invested	,, s.107.
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Revision by Chief Commissioner	,, s.109.
Rules; general power to make	,, s.110.
,, penalty for breach of	,, s.111.
,, publication of periodical consolidation and republication of	,, ss.112,113.
Appeals, first and second	,, ss.114to117.
Certificate to practise as Revenue-agent not to be granted	,, s.118.
Proceedings under Reg. 2, 1877, not to be impeached; bar to jurisdiction of Civil Courts	,, s.119.

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT).

1. Preliminary.

Ben. Reg. 5, 1816, territorial extension of	Ben.Reg.1,1819,s.4(*1*).
Ben. Regs. 2, 8, 19 and 37 of 1793; 3 of 1794, s. 13; 8 of 1800, s. 19; 1 of 1801, ss. 10, 14; 5 of 1812, ss. 24, 25; 2 of 1819; 4 of 1821; 11 of 1822, s. 36; 9, 13 and 14 of 1825; 3 and 4 of 1828; and 1 of 1829; and Acts 21 of 1836; 12 of 1841, s.2, 9 of 1847; 44 of 1850; 31 of 1858; and 11 of 1859 declared in force throughout Bengal, except as regards the Scheduled Districts	Act15,1874.s.6;Sch.IV.

[1] As in force in Ajmere by notification under the Scheduled Districts Act, 1874.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

1. Preliminary—*contd.*

Ben. Regs. 8, 19 and 37 of 1793 ; 8 of 1800, s. 19 ; 1 of 1801, ss. 10, 14 ; 5 of 1812, ss. 24, 25 ; 18 of 1812, s. 3 (2) ; 29 of 1814 ; 1 and 2 of 1819 ; and 13 and 14 of 1825 ; Acts 21 of 1836 ; 12 of 1841, s. 2 ; 9 of 1847 ; 31 of 1858 and 11 of 1859 ; and Ben. Acts 3 and 7 of 1862 ; 4 of 1864 ; 7 of 1868 ; 2 of 1871 ; and 7 of 1876, declared in force in the Santhál Parganas	Reg.3,1872,s.3,Sch.
Ben. Reg. 2, 1793, s. 7, and cl. 10 of s. 8, declared in force in Angul District	Reg.1,1894,s.3,Sch.
Ben. Reg. 37, 1793, declared in force in Cuttack (with modification)	Ben.Reg.12,1805,s.25.
Ben. Reg 7, 1822, extended to—	
all lands not included in permanently-settled estates . .	Ben.Reg.9,1825,s.2.
all estates held khas, and	
the Sundarbans, the hill lands of Bhagulpore, and certain other extensive forests and wastes and estates bordering thereon .	
List of divisions and districts ; power to transfer districts from one division to another	Ben.Reg.1,1829,s.2.
Power of Local Government to create districts . . .	Act21,1836.
" " to alter limits of district . .	Ben.Reg.4,1821,s.8(*1*).
" " to alter limits of districts . .	Ben.Act4,1864.

2. Revenue-authorities.

Collectors to be members of Indian Civil Service	Ben.Reg.2,1793,s.3.
" to collect the revenue	" ss.3,8.
" to be subject to Board of Revenue . . .	" ss.4,7,8.
" to use seal	" s.5.
" to keep diary	" s.6.
" to preserve accounts and records	" s.20.
" to make settlements of khas or farmed estates . .	" s.8.
" other duties to be performed by	
" native officers to be subordinate to	" s.9.
" not to employ their private servants in public matters	" s.10.
" responsibility of, for money committed to their charge	" s.11.
" senior Assistant Collector to officiate for Collector dying, etc.	" s.14.
" not to exercise authority beyond their districts without orders	" s.24.
" power to alter number of Collectors and authorise Collectors to exercise powers in particular areas	Ben.Reg.4,1821,s.8(*1*).
" power of Board of Revenue to depute subordinate to perform functions of Collector ; report to Local Government	" s.8(*2*).
" power of Collector to delegate his duties to an Assistant ; report when to be made to Board . .	" s.8(*3*).
" persons exercising functions of Collector to have same responsibilities as Collector	" s.8(*5*).
" "Collector," as used in the Regulations, to include officers duly exercising authority of Collector .	Ben.Reg.7,1822,s.35.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

2. Revenue-authorities—*contd.*

Deputy Collectors:
- Appointment of . . . . . Ben.Reg.9,1833,ss.16,17.
- Natives eligible for office . . . . . ,, s.17.
- Remuneration of . . . . . ,, s.18.
- Subordination of; duties of; record of proceedings of . . ,, ss.20to24.
- Suspension and removal of . . . . . ,, s.25.

Commissioners: appointment of; power to increase number of . Ben.Reg.1,1829,s.2.
- ,, to have powers of Board of Revenue and Court of Wards . . . . . ,, s.4(*1*).
- ,, form of proceedings of; place of residence of . ,, s.4(*2*).
- ,, powers of, where Collectors, etc., have authority in another division . . . . . ,, s.4(*3*).

Abolition of office of, in the Sundarbans; duties and powers of Commissioner in the Sundarbans transferred to Collector. *See* SUNDARBANS.

[1]Board of Revenue:
- Number of members . . . . . Ben.Reg.3,1822,s.4(*1*).
- Exercise of powers by one member . . . . . ,, s.5(*1*),(*3*),(*5*),(*6*).

Procedure in case of difference of opinion between members . Ben.Reg.3,1822,s.5(*2*),(*7*).

Two members when necessary to appoint, remove or punish officers . . . . . ,, s.5(*4*),(*5*).

Board may review, etc., their decisions . . . . . ,, s.5(*6*).

"Board of Revenue," as used in the Regulations, to include Commissions, etc., vested by Governor General in Council with powers of such Board . . . . . Ben.Reg.7,1822,s.35.

Powers of Board of Revenue as to requiring personal attendance of native officers and proprietors, etc., of land . . . Ben.Reg.2,1793,s.33.

Board to furnish accounts to, and obey orders of, Local Government . . . . . ,, s.45.

Commissioners to have powers of Board of Revenue . . . Ben.Reg.1,1829,ss.4(*1*).

Form of proceedings of Sadr Board; members where to reside . ,, s.4(*2*).

Functions of Board of Customs, Salt and Opium transferred to Sadr Board of Revenue . . . . . Act44,1850,s.2.

Sadr Board to be styled "the Board of Revenue for the Lower Provinces of the Presidency of Fort William in Bengal" . ,, s.3.

Native cash-keepers; appointment, removal and responsibility of Ben.Reg.2,1793,s.11.

Native officers; appointment, removal and employment of . ,, s.13.

Officers not to be privately interested in collection of revenue, purchase of land, etc. . . . . ,, ss.15,16.

Collectors and assistants not to trade . . . . . ,, s.18.

Duties of, as to receipts for revenue . . . . . ,, s.25.

,, ,, ,, for salaries, etc. . . . . ,, s.26.

Power, when officer is deputed to hold enquiry in mahal, to invest him with powers in regard to lands held free of assessment in adjoining villages . . . . . Ben.Reg.9,1825,s.6.

[1] As to the exercise of functions in the Sambalpur District by the Board of Revenue, see Act 7 of 1905, s. 3 and Sch. D, Pt. II; Chs. II, III, IV.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue.

(a) Settlement generally.

Permanent Settlement. *See* Permanent Settlement, 1.

Power of Board of Revenue to order settlement of lands held in khas . . . . . Ben.Reg.2,1793,s.36.

Settlement of lands held in khas to be made—

by Collector, or . . . . . „ ss.8(*4*),39.

by person specially deputed by Board of Revenue . . . „ s.39.

On conclusion of settlement, Board to issue parwana . . „ s.40.

Settlement to be made with actual proprietors of the soil; exception in case of certain females, minors, lunatics and other incapacitated persons and proprietors in arrear; management of lands of accepted persons. Ben.Reg.8,1793,ss.4,20to22.

Separated taluqdars to pay revenue direct into treasury, or to tahsildar, and not through proprietors; who to be appointed tahsildars . . . . . „ ss.13to15.

Provisions of Ben. Reg. 8, 1793, as to separate taluqs do not apply to new taluqs constituted since the decennial settlement; transfers of taluqs declared void if separate allotment of assessment was not obtained . . . . . Ben.Reg.1,1801,s.14.

Istimrardars to be considered as patta taluqdars; settlement to be made with them . . . . . Ben.Reg.8,1793,s.19.

Decision of majority of proprietors as to acceptance or rejection of proposed assessment to bind minority; partition of lands and proportionate allotment of revenue obtainable at expense of dissatisfied sharer . . . . . „ s.26.

When lands divided, settlement to be made separately for each share with proprietor in possession . . . . . „ s.27.

Settlement with whom to be made in case of dispute as to proprietary right; procedure where no claimant in possession and no manager appointed . . . . . „ ss.30,31.

Settlement with whom to be made in case of dispute as to boundaries . . . . . „ s.32.

Powers of Collector where Regulations inapplicable to circumstances of district . . . . . „ s.67,cl.(*5*).

Settlement not binding on Government unless made or confirmed in accordance with rules sanctioned by Governor General in Council . . . . . Ben.Reg.3,1822,s.5(*1*).

Settlement to be made of estates left in farm or held khas; new leases not to exceed twelve years; power to exclude turbulent Rajas, etc. . . . . Ben.Reg.7,1822,s.3.

Revenue-officers empowered to adjust the respective rights of sadr malguzars and under-tenants; if result is to materially reduce zamindar's or malguzar's profits, he may relinquish his engagement, and mahal must then be settled *de novo* . . . „ s.4.

Revised rules as to allowance to be made to zamindars and malguzars excluded from management of their mahals . . „ s.5. Ben.Reg.9,1833,s.11.

Power to revise settlement of estates during continuance of leases: revision how to be made; grant of renewed leases; limit to assessment . . . . . Ben.Reg.7,1822,ss.6,7.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*a*) SETTLEMENT GENERALLY—*contd.*

Power of Revenue-officer to grant leases of waste land for cultivation and to assign an allowance to zamindars, etc., having rights therein	Ben. Reg. 7, 1822,	s.8.
Collectors, in making or revising settlements,—		
to ascertain and record full information in regard to landed tenures and the rights, etc., of the various classes of the agricultural community, and	,,	s.9(*1*).
to record lakhiraj tenures		
Cesses and collections not taken into account in fixing assessment to be void, unless specially sanctioned by Government		
Power of Collector to grant pattas to owners and occupants of land	,,	s.9(*2*).
Power to take five years' engagements for revenue without completing detailed enquiry	,,	s.9(*3*).
Settlement with whom to be made where there are several holders	,,	s.10.
Power to prescribe distribution of profit resulting from limitation of jama	,,	s.10(*1*).
Collector, in making registry, to proceed on basis of actual possession	,,	s.11.
Power of Collector to re-distribute charges and revenue payable by co-purchasers, and to partition land; his decision may be contested by suit in District Court	,,	s.12.
Collectors not to disturb possession; claims of persons not in possession to be decided by suit	,,	s.13.
Collector empowered, subject to suit in Civil Court, to—		
declare nature and extent of interests of persons in possession of land	,,	s.14(*1*)to(*3*).
restore possession to persons wrongfully dispossessed within a year	,,	s.14(*4*),(*5*).
take cognizance of claims to property in resumed mahal	,,	s.15.
,, ,, to lands held revenue-free or at a mukarrari jama	,,	s.17.
Collector may be specially empowered to take cognizance of claims to property in any estate under settlement, subject to suit in Civil Court	,,	s.16.
Collector to be judge of question of jurisdiction, subject to suit in Civil Court	,,	s.18.
Powers of Collector as to enforcing attendance of, and examining witnesses; application of Ben. Reg. 2, 1819	,,	s.19.
Power of Government to restrict Collectors' settlement powers, and to invest Collectors with settlement powers when not making or revising settlements	,,	s.20.[1]
Process for requiring attendance of parties before Collectors	,,	s.21.[1]
Collector's office deemed to be Civil Court	,,	s.23(*1*).[1]
Suits to contest Collector's decisions under Ben. Reg. 7, 1822, ss. 11, 12, 14 to 20, to be deemed appeals from summary awards	,,	s.23(*2*).[1]

[1] So much of s. 20 and following sections of Ben. Reg. 7, 1822, as relates to rent is repealed by Act 10, 1859.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*a*) SETTLEMENT GENERALLY—*contd.*

Collectors authorised to execute their own awards under Ben. Reg. 7, 1822	Ben.Reg.7,1822,s.23(*3*).[1]
Collectors empowered to depute native officers to make enquiries preparatory to settlement; powers of such officers	,, s.24(*1*).
Process or order of Revenue-officer: punishment for resistance or obstruction to; Police to aid in execution of	,, s.24(*2*),(*3*).[1]
Pleading in suits	,, s.26.[1]
Place for trial of suits by Collectors	,, s.28.[1]
Appeal to Board from decisions of Collectors in suits	,, s.29.[1]
Limitation of such appeals	Ben.Act3,1868,s.1.
Right to institute suit in Civil Court instead of moving Collector to act summarily	Ben.Reg.7,1822,s.30.[1]
When suit instituted to contest Collector's summary decision, his proceedings to be filed on record	,, s.31[1]
Reports by Collectors to Board and by Board to Government, as to causes decided or pending	Ben.Reg.7,1822,s.32.[1]
Arbitration	,, ss.33,34.[1] Ben.Reg.9,1833,ss.5to10.
Village accounts, keeping and production of	,, ss.1,12,13.
Power of Collector to interfere in cases of disputed possession	Ben.Reg.7,1822,s.34.[1] Ben.Reg.4,1828,s.2(*4*).
Power to invest officers in Bengal, Behar or Orissa with powers specified in Ben. Reg. 7, 1822, s. 20: application of s. 21 and following sections of that Regulation when officers so empowered	Ben.Reg.9,1825,s.3.
Application of Ben. Reg. 7, 1822, ss. 23 (*1*), 28, to cases investigated under Ben. Reg. 2, 1819, or Ben. Reg. 9, 1825	,, s.5(*9*)(pt. rep.Act20, 1865).
Lands held free of assessment to be specified in proceedings of Collector making settlement under Ben. Reg. 7, 1822	,, s.7.
Duration of settlement-proceedings	Ben.Reg.4,1828,s.2(*4*).
Police-officers to support Revenue-officers in execution of their duties	,, s.2(*4*).
Cuttack:	
Confirmation of settlements made with certain zamindars to hold at fixed jama in perpetuity	Ben.Reg.12,1805, s.33.
,, of sanad entitling the jagirdar of Malud to hold his lands exempt from assessment	,, s.34.
,, of settlements made with certain zamindars for payment of fixed annual quit-rent in perpetuity; similar settlement to be made with zamindars of Korda and Kanka	,, s.35.
Santhál Parganas:	
Restriction on trial by ordinary Courts of suits relating to land under settlement made; retransfer of suit to Civil Court	Reg.3,1872,ss.5,5A(sub. Reg.3,1908,s.2).

[1] So much of s. 20 and following sections of Ben. Reg. 7, 1822, as relates to rent is repealed by Act 10, 1859.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*a*) SETTLEMENT GENERALLY—*concld.*

Santhál Parganas—*contd.*

Jurisdiction of officers appointed under Act 37, 1855, pending completion of settlement	Reg.3,1872,ss.5,5A(sub. Reg.3,1908,s.2),s.26.
Power to order settlement	,, s.9.
Power to appoint Settlement-officers and controlling authorities, and to make rules for guidance of such officers Power of Lieutenant-Governor to reserve to himself an ultimate power of revision	Reg.3,1872,s.10.
Bar to jurisdiction of Civil Courts, except in certain cases Decisions and orders of Settlement Courts to have force of decree of Court	,, s.11(am. Reg.3,1908,s.4).
Preparation of record of-rights by Settlement-officer	Reg.3,1872,ss.12to14(s.13 am.Reg.3,1908,s.5).
Demarcation of village by Settlement-officer; exclusion from village of waste or forest land	Reg.3,1872,s.15.
Power of Settlement-officer to review decisions under Act 37, 1855, as to rights of village-headmen	,, s.1.
Rules to be followed by Settlement-officer in deciding claims to office of village-headman: power to modify rent payable by him	,, s.17.
Record of village-customs and tribal-customs; suit to contest Settlement-officer's decision; court-fees	Reg.3,1872,ss.23to25A,26, (ss.25,25A,26sub.Reg.3, 1908,ss.9,10).

(*b*) ASSESSMENT GENERALLY.

Allowances of kazis and kanungos, and pensions, paid by or through landholders, to be added to jama	Ben.Reg.8,1793,s.34.
Assessment to exclude—	
certain sair collections	,, s.35.
lakhiraj lands	,, s.36.
Assessment to include—	
malikana lands in Behar, and proprietor's private lands	,, ss.37to40.
chakaran lands	,, s.41.
Procedure where proprietor declines to engage for settlement at proposed assessment	,, s.43.
Apportionment of assessment on division of joint estate	Ben.Reg.18,1812,s.3(*2*). (rep. locally, Act8,1885,)
Following lands to be assessed—	
lands not already settled and not legally held free of revenue	Ben.Reg.2,1819,s.3(*1*).
lands gained by alluvion or dereliction	,, s.3(*2*).
lands not permanently assessed	,, s.3(*3*).
Investigation to determine whether lands held wholly or partially free of revenue are liable to assessment or increased assessment:	
Investigation to be made by Collector; service of notices; penalties on parties, patwaris, etc., refusing to give evidence, etc.; examination of documents and witnesses; report by Collector to Board; final decision to rest with Board	,, ss.5to21.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*b*) ASSESSMENT GENERALLY—*contd.*

Investigation to determine whether lands held wholly or partially free of revenue are liable to assessment or increased assessment—*contd.*

Landholder to give security for payment of assessment and institute suit to try justice of demand; in default, Collector to proceed to final assessment . . . . . Ben.Reg.2,1819,ss.22,23.

Modification of Ben. Reg. 2, 1819, ss. 5, 6, 8, 10, 11, 13, 15, 22 Ben.Reg.9,1825,s.5.

Ben. Reg. 2, 1819, s. 22, not to apply where lands illegally held free of revenue . . . . . ,, s.8.

Suits to contest assessment: limitation of; appeal to High Court; procedure . . . . . Ben.Reg.2,1819,ss.24, 26. Ben.Reg.14,1825,s.6. Ben.Reg.3,1828,s.10(*3*)to (*5*).

Application of Ben. Reg. 2, 1819, ss. 11 to 14, 19, extended . Ben.Reg.7,1822,s.19(*2*).

Application of Ben. Reg. 2, 1819, to investigation of cases in which Collector considers that land belongs to Government and that no person has *bonâ fide* possession of the land . Ben.Reg.9,1825,s.5(*12*).

Decision of Board under Ben. Reg. 2, 1819, s. 21, to be carried into effect notwithstanding suit to contest it; person declining to pay assessment to be dispossessed . . . . Ben.Reg.3,1828,s.10(*2*).

Farmans, sanads and grants by Native Rulers to be carefully examined and not received in evidence unless registered. . Ben.Reg.2,1819,s.28.

Ben. Reg. 2, 1817, not to affect right of proprietors to waste-land guaranteed at permanent settlement . . . . . ,, s.31(*1*).

Revenue-authorities not to claim additional revenue from lands in estates for which permanent settlement made, unless the lands were expressly excluded from that settlement . . . ,, s.31(*2*).

Unregistered tenures to be liable to resumption, unless declared hereditary by decree of competent Court; assessment of revenue . . . . . Ben.Reg.3,1828,s.12.

Application of Ben. Reg. 2, 1819, to settlement of claims in respect of land granted by Government in Sundarbans . . ,, s.13.

Alteration of assessment when land lost or gained by diluvion or alluvion; indemnity to Government officers; repeal of prior Regulations . . . . . Act9,1847,ss.1,5,6,9.

Addition of revenue assessed upon alluvial land to jama of original estate; separate settlement of alluvial land when to be made; saving of rights of under-tenants; record of such rights . . Act31,1858,ss.1,2.

Assessment how affected by partition. *See* PARTITION, etc., III.

(*c*) REVENUE-FREE GRANTS.

(i) *Non-badshahi Lakhiraj Grants.*

Grants made before 12th August, 1765, and not subsequently rendered subject to payment of revenue:

Declared valid, provided grantee obtained possession . . Ben.Reg.19,1793,s.2(*1*).

Reference of doubtful claims to Local Government . . Claims barred when made after payment of revenue for twelve years . . . . . ,, s.2(*2*).

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(c) REVENUE-FREE GRANTS—*contd.*

(i) *Non-badshahi Lakhiraj Grants*—contd.

Grants made before 12th August, 1765, and not subsequently rendered subject to payment of revenue—*contd.*

Grants for life of a term not extended, unless duly confirmed by Government as hereditary tenures . . . . . Ben.Reg.19,1793,ss.2(*3*)to(*5*),47.

Grants made between 12th August, 1765, and 1st December, 1790, and not confirmed by Government:

Declared invalid; exception as to grants made under Government authority and small grants made for religious or charitable uses . . . . . ,, s.3(*1*),(*3*),(*4*).

Reference of doubtful claims to Local Government . . ,, s.3(*2*).

Grants made before 1st December, 1790:

Declared void if forged, altered or antedated . . . ,, s.17.

Registration of valid grants; grants not duly registered declared invalid, and must be assessed to revenue; registration not conclusive as to title to land or to exemption from revenue; lands so assessed to be entered in Collector's registers. . ,, ss.24,26to28. Ben.Reg.8,1800,s.19.

Declaration of invalidity or nullity affects only payment of revenue, grantee retaining proprietary right . . . . Ben.Reg.19,1793,ss.4,17,27.

Assessment of, to revenue:

Amount of assessment; procedure for making assessment . ,, ss.5,8,9.

Revenue to whom to belong, and how recoverable . . ,, ss.6,7,11.

Grants made after 1st December, 1790, otherwise than by Governor General in Council or Local Government:

Declared void . . . . . ,, s.10.

Ben. Reg. 19, 1793, s. 10, not affected by other Regulations; assessment of lands illegally held free of revenue . . Ben.Reg.9,1825,s.8.

Grants which are hereditary, and are declared valid by Reg. 19, 1793, or confirmed by Government, may be transferred; registration of transferees . . . . . Ben.Reg.19,1793,s.20.

Conduct of suits against Government by persons claiming right to hold land free of revenue . . . . . ,, s.15.

Ben. Reg. 19, 1793, not to—

annul grants made or confirmed by superintendents of the bàzi-zamin daftar . . . . . ,, s.48.

extend to badshahi grants . . . . . ,, s.49.

Modification of Ben. Reg. 19, 1793 . . . . . Ben.Reg.14,1825,s.3.

Cuttack:

Ben. Reg. 19, 1793, modified in its application to . . . Ben.Reg.12,1805,ss.17to24.

(ii) *Badshahi Lakhiraj Grants.*

Grants made before 12th August, 1765, and not subsequently resumed by Government:

Declared valid, provided grantee obtained possession . . . Ben.Reg.37,1793,s.2(*1*).

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*c*) REVENUE-FREE GRANTS—*contd.*

(ii) *Badshahi Lakhiraj Grants*—contd.

Grants made before 12th August, 1765, and not subsequently resumed by Government—*contd.*	
Reference of doubtful claims to Local Government . .	Ben.Reg.37,1793,s.2(2).
Claims barred when made after payment of revenue for twelve years	Ben.Reg.37,1793,s.2(2).
Grants for life not extended	,, s.2(3)to(5).
Grants made after 12th August, 1765, and not confirmed by Government:	
Declared invalid	,, s.3(1).
Reference of doubtful claims to Local Government . .	,, s.3(2).
Grants forged, altered or antedated, declared void . .	,, s.12.
Registration of valid grants; grants not duly registered declared liable to resumption and lands liable to payment of revenue; registration not conclusive as to title to land or validity of grant; lands so assessed to be entered in Collector's registers	,, ss.19,21to23. Ben.Reg.8,1800,s.19.
Declaration of invalidity affects only payment of Government revenue; claims as to proprietary right to be referred to Court	Ben.Reg.37,1793,s.4.
Escheated life-grant: attachment of revenue of; order for resumption to be obtained	,, s.5.
Assessment of, to revenue, on resumption or expiration of grant or on escheat	,, s.6.
Certain grants declared hereditary	
Jagirs to be considered as life-tenures only	
Grants which are hereditary, and are declared valid by Reg. 37, 1793, or confirmed by Government, may be transferred; registration of transferees	,, s.15.
Conduct of suits against Government by persons claiming right to hold land free of revenue	,, s.10.
Power to continue occupant in possession when revenue resumed, on his engaging for future assessment	Ben.Reg.13,1825,s.5.
Ben. Reg. 37, 1793, not to extend to non-badshahi grants . .	Ben.Reg.37,1793,s.42.
Modification of Ben. Reg. 37, 1793	Ben.Reg.14,1825,s.3.
Cuttack:	
Ben. Reg. 37, 1793, modified in its application to . . .	Ben.Reg.12,1805,ss.25to29.

(iii) *Grants for holding lands under tenures limiting the Government demand.*

Provisions in Ben. Regs. 19and 37, 1793, and 12, 1805, for determining validity of revenue-free grants, declared applicable to	Ben.Reg.2,1819,s.4.
Person succeeding to possession of, to report to Collector; procedure on failure to report	Ben.Reg.3,1823,s.11(2), (3).

(iv) *Miscellaneous.*

Revenue of lands held by kanungos declared to be liable to resumption	Ben.Reg.5,1816,ss.5,6.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue—*concld.*

(*c*) REVENUE-FREE GRANTS—*concld.*

(iv) *Miscellaneous*—contd.

Power to continue minhâidars in possession of resumed lands formerly held as lakhiraj by kanungos; continued payment of proprietor's dues; minhâidars' tenures declared heritable and transferable	Ben.Reg.13,1825,ss.2,3.
Ben. Reg. 13, 1825, ss. 2, 3, applied to certain other lakhiraj resumptions	,, ss.4,5.
Lakhiraj tenures under what circumstances alone valid	Ben.Reg.14,1825,s.2.
Principles to be observed in determining validity of grants made before acquisition of territory by British Government	,, ss.3,4.
Person succeeding to possession of revenue-free grant to report to Collector; procedure on failure to report	Ben.Reg.3,1828,s.11(*2*),(*3*).
Suits by proprietors, etc., to resume revenue of land held free of assessment, and suits by persons claiming to hold land exempt from revenue, to be determined by Civil Courts	Ben.Act7,1862,s.2.

See above, (*a*), (*b*) (Investigation to determine, etc.); PERMANENT SETTLEMENT, 1.

4. Collection of Land-revenue.

Land to be security for payment of revenue; surety required where land let in farm	Ben.Reg.2,1793,s.37.
Remissions not to be granted without sanction of Local Government	,, ss.38,43.
Powers of Board as to granting temporary suspensions	,, s.42.
Revenue to be collected by Collector, under supervision of Board; Collector's power of coercion	,, ss.8,41.
Responsibility of zamindars or malguzars for payment of revenue when they hold on after expiration of lease	Ben.Reg.7,1822,s.2(*6*).
Opening of separate account to admit of sharers of estates paying their shares of revenue separately	Act11,1859,ss.10to12.
Fees payable on applications under Act 11, 1859, ss. 10, 11.	Ben.Act7,1876,s.70(am. Ben.Act2,1906,s.13).
Account not to be opened for a sharer under Act 11, 1859, s. 10 or s. 11, except for a share corresponding with the character and extent of his interest as recorded under Ben. Act 7, 1876	Ben.Act7,1876,s.69.
Power to open separate account under Act 11, 1859, for undivided interest held by proprietor in specific lands; application of Act 1859, s. 12; fee	,, s.70(am. Ben.Act,2,1906,s.13),s.71.
Closing of account opened under Act 11, 1859, or Ben. Act 7, 1876, and opening of fresh accounts; applicants when to be referred to Civil Court; power of Collector to close account otherwise than on application	,, ss.72to74A(s.74A ins.Ben.Act2,1906,s.14).
Act 11, 1859, ss. 10 to 12, not affected by Estates Partition Act, 1897	Ben.Act5,1897,s.16.

Collection how affected by partition. *See* PARTITION, III.

Arrears of land-revenue:

Recovery of arrears payable to tahsildar, etc.	Ben.Reg.3,1794,s.13.
Purchaser of land sold to attend Collector and execute engagement for payment of revenue assessed thereon	Ben.Reg.1,1801,s.10.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

4. Collection of Land-revenue—*contd.*

Arrears of land-revenue—*contd.*

Sale of entire estate not to be annulled on ground that sharer had not obtained possession of his interest . . . . Board of Revenue to decide whether entire estate or part only should be sold . . . . . — Ben.Reg.5,1812,s.24.

Sale of estate or share not to be annulled on ground that proceeds exceeded amount of arrear . . . . . Board of Revenue to decide whether entire estate or part only should be sold . . . . . — ,, s.25.

Assistant Magistrates, etc., to follow procedure prescribed for Collector, in instituting suit for recovery of . . . — Ben.Reg.4,1821,s.7.

Power to farm mahal (not permanently settled), or hold it in khas management, for recovery of . . . . . — Ben.Reg.9,1825,s.4.

No interest or penalty demandable on . . . . . — Act12,1841,s.2.

Protection of estates of wards of Court and minors from sale for arrears . . . . . — Ben.Act9,1879,ss.23to26.

See also PERMANENT SETTLEMENT, 1.

Arrears of land-revenue, and demands recoverable as such arrears:

(1) Recovery of, under Act 11, 1859:

Local extent of Act 11, 1859 . . . . . — Act,11,1859,s.62.

"Arrear of revenue" defined . . . . . — ,, s.2.

"Collector" includes Deputy Collector . . . . — s.61. Ben.Act7,1868,s.1.

Definitions of "estate," "jurisdiction," "proprietor," "revenue," "tenure" . . . . . — Ben.Act7,1868,s.1.

Board to determine dates for payment of arrears and demands; notification of sales . . . . . — Act11,1859,s.3.

In default of payment of arrear or demand on due date estate to be sold at public auction to highest bidder, but notification of arrears or demand and of latest day for payment to be first published in certain cases . . — ,, ss.3,5. Ben.Act7,1868,s.11.

Power of Local Government to authorise Collectors to issue notices to proprietors before realizing arrears; recovery of costs of serving such notices . . . . . — ,, s.6.

Power to sell tenures in same way as estates; residue of purchase-money to be held for tenure-holder; notice of arrear and latest day for payment when to be issued . . — ,, s.11.

Sale to be effected after notification thereof; payment after sunset of latest day for payment not to stop sale . . — Act11,1859,s.6.

When separate account opened for share of estate, that share to be put up for sale in the first instance, for recovery of arrears due in respect of it . . . . . — ,, ss.13,14. Ben.Act7,1876,s.71.

Act 11, 1859, ss. 13, 14, not affected by Estates Partition Act, 1897 . . . . . — Ben.Act5,1897,s.16.

Place for holding sale . . . . . — Act11,1859,s.19.

Power to adjourn sale . . . . . — ,, s.20.

Order in which estates are to be sold . . . . . — ,, s.21.

Restrictions on sale of estates held under attachment by Revenue-authorities . . . . . — ,, s.17.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

4. Collection of Land-revenue—*contd.*

Arrears of land-revenue, and demands recoverable as such arrears—*contd.*

(1) Recovery of, under Act 11, 1859—*contd.*

Power of Revenue-authorities to exempt estate or share from sale	Act11,1859,s.18.
Claims of defaulter against Government and unappropriated deposits with Collector, not to bar or invalidate sale	,, s.8.
Effect of deposit by person having interest in estate, when made before latest day for payment	,, s.9.
Deposit with Collector for payment of arrears as they accrue, so as to prevent sale; power to withdraw deposit	,, ss.15,16.
Fee on application under Act 11, 1859, ss. 15, 16	Ben. Act3,1862,s.3,Sch.
Deposit by purchaser; balance of purchase-money when to be paid; punishment for not paying balance; re-sale on default in payment	Act11,1859,ss.22to24,56, 57.
Sale when final	,, s.27.
Certificate of title to be given when sale final	,, s.28,Sch.A. Ben.Act7,1868,s.11.
,, ,, to be conclusive evidence of regularity in service of notices	Ben.Act7,1868,s.8.
Delivery of possession, after sale, how to be effected	Act11,1859,s.29.
Application of purchase-money	,, s.31. Ben.Act7,1868,s.11.
Purchaser liable for all revenue falling due after latest day on which arrear, for which estate was sold, ought to have been paid	Act11,1859,s.30.
Notice to raiyats and under-tenants not to pay to defaulting proprietor rent falling due after latest day for payment of arrear	,, s.7. Ben.Act7,1868,s.7.
Recovery by defaulter of rent which accrued before such latest day	Act11,1859,s.55.
Purchaser of permanently-settled estate sold for its own arrears: rights of, as to avoidance of incumbrances and under-tenures, enhancement of rent and ejectment of tenants	,, s.37.
Purchaser of estate, not permanently settled, sold for its own arrears: rights of, as to avoidance of incumbrances and tenures, and enhancement of rent	,, s.52.
Rights of purchasers of estates in other cases	,, ss.53,54.
Purchaser of tenure sold for its own arrears: rights of, as to avoidance of incumbrances and under-tenures, ejectment of tenants and enhancement of rent	Ben.Act7,1868,ss.12to14.
Appeal to Commissioner against sale; his power to annul sale on such appeal, and award compensation	Ben.Act7,1868,s.2.
Power of Local Government to annul sale; procedure after annulment	Act11,1859,ss.26,32.
Restrictions on annulment of sale by Civil Court; procedure after annulment	,, ss.33to35.
Suit to oust certified purchaser on ground that purchase was made for another, to be dismissed with costs	,, s.36.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*concld.*

4. Collection of Land-revenue—*concld.*

Arrears of land-revenue, and demands recoverable as such arrears—*concld.*

(1) Recovery of, under Act 11, 1859—*concld.*

Power to purchase estate on account of Government . . Act11,1859,s.58.

Ben. Regs. 7, 1822, and 9, 1825, applied to estates purchased on account of Government . . . . . ,, s.60.

Estates to be deemed, for purposes of Act 11, 1859, and Ben. Act 7, 1868, to be within the Collectorate of the Collector upon whose general register the revenue thereof is borne . . . . . Ben.Act7,1868,s.10.

Punishment for contempt committed in presence of Collector; default in making deposit under s. 22 deemed a contempt . . . . . Act11,1859,ss.56,57.

Mode of serving notices . . . . . Ben.Act7,1868,s.5.

Procedure where arrear is due in respect of a settled estate . Ben.Act3,1904,ss.33,34.

Registration to secure tenures and farms against auction-purchaser at sale for arrear. *See* REGISTRATION OF LAND.

(2) Recovery of, under Ben. Act 1, 1895. *See* PUBLIC DEMANDS, III.

5. Miscellaneous.

Cuttack:

Regulations as to settlement and collection of revenue and conduct of officers employed in those duties, declared in force in Cuttack, except as modified by Ben. Reg. 12, 1805 . Ben.Reg.12,1805,s.36.

Ghatwali Mahals, Beerbhoom:

Ghatwals to retain their lands so long as they pay assessed revenue . . . . . Ben.Reg.29,1814,s.2.

To be considered as forming part of the zamindari of Beerbhoom; collection of revenue, and payment thereout of zamindar's dues . . . . . ,, ss.3to5.

Sale, etc., of tenure for arrears . . . . . ,, s.5.

Rules for khas management applied to estates purchased by Government on sale for arrears of revenue, and other estates, the property of Government . . . . . Ben.Reg.11,1822,s.36.

Village accounts: three copies of, to be prepared, for offices of Collector, patwari and kanungo, respectively; accounts when and how to be furnished; inspection of accounts . . . Ben.Reg.9,1833,ss.12,13.

IV.—CALCUTTA.

Rate for assessment of unassessed lands . . . . . Act23,1850,s.1.

Revenue-free tenures, when valid . . . . . Act23,1850,s.2.

Enquiry into claims to hold land free of revenue; assessment of such land . . . . . ,, s.8.

Recovery of land-revenue; deduction by occupier from rent; priority of Government claim over other claims . . . ,, ss.3,4-7.

LAND-REVENUE—*contd.*

IV.—CALCUTTA—*contd.*

Penalty for obstructing Collector or his subordinates	Act23,1850,s.9.
Power of Collector to punish contempts; appeal to Commissioner	„ s.10.
Control over Collector	„ s.11.
Meaning of "Collector" and "Commissioner"	„ s.14.
Bar to jurisdiction of High Court	„ s.12.
Jurisdiction of Courts at sadr station of Twenty-four Parganas; limitation of suits	„ s.13.
Power of Collector to entrust his duties to Deputy Collector; application to Calcutta of general law relating to Deputy Collectors	Act18,1856,s.3.

V.—EASTERN BENGAL AND ASSAM.

A.—GENERALLY.

1. Preliminary.

Territorial extension of Ben. Reg. 5, 1816	(E.B.)Ben.Reg.1,1819,s.4 (1).
Ben. Reg. 7, 1822, extended to— all lands not included in permanently-settled estates, all estates held khas, and the Sundarbans, and certain other extensive forests and wastes and estates bordering thereon	(E.B.)Ben.Reg.9,1825,s.2.
List of divisions and districts; power to transfer districts from one division to another	(E.B.)Ben.Reg.1,1829,s.2.
Power of Local Government to create districts	(E.B.) Act21,1836.
„ „ „ to alter limits of districts	(E.B.)Ben.Reg.4,1821,s.8 (1) (E.B.)Ben.Act4,1864.

2. Revenue-authorities.

Collectors to be members of Indian Civil Service	(E.B.&A.)Ben.Reg.2,1793, s.3.
„ to collect the revenue	„ ss.3,7,8.
„ to be subject to Board of Revenue	„ ss.4,7,8.
„ to use seal	„ s.5.
„ to keep diary	„ s.6.
„ to preserve accounts and records	„ s.20.
„ to make settlements of khas or farmed estates „ other duties to be performed by	„ s.8.
„ native officers to be subordinate to	„ s.9.
„ not to employ their private servants in public matters	„ s.10.
„ responsibility of, for money committed to their charge	„ s.11.
„ senior Assistant Collector to officiate for Collector dying, etc.	„ s.14.
„ not to exercise authority beyond their districts without orders	„ s.24.
„ power to alter number of Collectors and authorize Collectors to exercise powers in particular areas	(E.B.)Ben.Reg.4,1821, s.8(1).
„ power of Board of Revenue to depute subordinate to perform functions of Collector; report to Local Government	„ s.8(2).

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*co*

A.—GENERALLY—*contd.*

2. Revenue-authorities—*contd.*

Collectors; power of Collector to delegate his duties to an Assistant; report when to be made to Board	(E.B.)Ben.Reg.4,1821, s.8(*3*).
" persons exercising functions of Collector to have same responsibilities as Collector	" s.8(*5*).
" "Collector," as used in the Regulations, to include officers duly exercising authority of Collector	(E.B.)Ben.Reg.7,1822,s.35.
Deputy Collectors:	
Appointment of	(E.B.)Ben.Reg.9,1833,ss. 16,17.
Natives eligible for office	" s.17.
Remuneration of	" s.18.
Subordination of; duties of; record of proceedings of	" ss.20to24.
Suspension and removal of	" s.25.
Commissioners: appointment of; power to increase number of	(E.B.)Ben.Reg.1,1829,s.2.
" to have powers of Board of Revenue and Court of Wards	" s.4(*1*).
" form of proceedings of; place of residence of	" s.4(*2*).
" powers of, where Collectors, etc., have authority in another Division	" s.4(*3*).
Board of Revenue:	
Number of Members	(E.B.&A.)Ben.Reg.3,1822, s.4(*1*).
Exercise of powers by one Member	" s.5(*1*),(*3*),(*5*),(*6*).
Procedure in case of difference of opinion between members	" s.5(*2*),(*7*).
Two members when necessary to appoint, remove or punish officers	" s.5(*4*),(*5*).
Board may review, etc., their decisions	" s.5(*6*).
"Board of Revenue," as used in the Regulations, to include Commissions, etc., vested by Governor General in Council with powers of such Board	(E.B.)Ben.Reg.7,1822,s.35.
Powers of Board of Revenue as to requiring personal attendance of native officers and proprietors, etc., of land	(E.B.&A.)Ben.Reg.2,1793, s.33.
Board to furnish accounts to, and obey orders of Local Government	" s.45.
Commissioners to have powers of Board of Revenue	(E.B.)Ben.Reg. 1,1829,s.4 (*1*).
Form of proceedings of Board; members where to reside	" s.4(*2*).
Functions of Board of Customs, Salt and Opium transferred to Board of Revenue	(E.B.&A.)Act44,1850,s.2.
Board of Revenue in Eastern Bengal and Assam; constitution and functions of	(E.B.&A.)Act7,1905,ss.3,4, Schs.A,B,D.
Native cash-keepers; appointment, removal and responsibility of	(E.B.&A.)Ben.Reg.2,1793, s.11.
Native officers; appointment, removal and employment of	" s.13.
Officers not to be privately interested in collection of revenue, purchase of land, etc.	" ss.15,16.
Collectors and assistants not to trade	" s.18.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

2. Revenue-authorities—*contd.*

Duties of officers, as to receipts for revenue	(E.B.&A.)Ben.Reg.2,1793, s.25.
" " " for salaries, etc.	" s.26.
Power, when officer is deputed to hold inquiry in mahal, to invest him with powers in regard to lands held free of assessment in adjoining villages	(E.B.)Ben.Reg.9,1825,s.6.

3. Settlement, and Assessment of Land-revenue.

(*a*) SETTLEMENT GENERALLY.

Permanent Settlement. *See* PERMANENT SETTLEMENT.	
Power of Board of Revenue to order settlement of lands held khas	(E.B.&A.)Ben.Reg.2,1793, s.36.
Settlement of lands held in khas to be made—	
by Collector, or	" ss.8(4),39.
by person specially deputed by Board of Revenue	" s.39.
On conclusion of settlement, Board to issue parwana	" s.40.
Settlement to be made with actual proprietors of the soil; exception in case of certain females, minors, lunatics and other incapacitated persons and proprietors in arrear; management of lands of excepted persons	(E.B.&A.)Ben.Reg.8,1793, ss.4,20,21,22.
Separated taluqdars to pay revenue direct into treasury or to tahsildar, and not through proprietors; who to be appointed tahsildars	" ss.13to15.
Provisions of Ben. Reg. 8, 1793, as to separable taluqs do not apply to new taluqs constituted since the decennial settlement; transfers of taluqs declared void if separate allotment of assessment was not obtained	(E.B.)Ben.Reg.1,1801,s. 14.
Istimrardars to be considered as patta taluqdars; settlement to be made with them	(E.B.&A.)Ben.Reg.8,1793, s.19.
Decision of majority of proprietors as to acceptance or rejection of proposed assessment to bind minority; partition of lands and proportionate allotment of revenue obtainable at expense of dissatisfied sharer	" s.26.
When lands divided, settlement to be made separately for each share with proprietor in possession	" s.27.
Settlement with whom to be made in case of dispute as to proprietary right; procedure where no claimant in possession and no manager appointed	" ss.30,31.
Settlement with whom to be made in case of dispute as to boundaries	(E.B.&A.)Ben.Reg. 8,1793,s.3
Powers of Collector where Regulations inapplicable to circumstances of district	" s.67(5).
Settlement not binding on Government unless made or confirmed in accordance with rules sanctioned by Governor General in Council	(E.B.&A.)Ben.Reg.3,1822, s.5(*1*).
Settlement to be made of estates let in farm or held khas; new leases not to exceed twelve years; power to exclude turbulent Rajas, etc.	(E.B.)Ben.Reg.7,1822,s.3.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*a*) SETTLEMENT GENERALLY—*contd.*

Revenue-officers empowered to adjust the respective rights of sadr malguzars and under-tenants; if result is to materially reduce zamindar's or malguzar's profits, he may relinquish his engagement; and mahal must then be settled *de novo* . .	(E.B.)Ben.Reg.7,1822,	s.4.
Revised rules as to allowance to be made to zamindars and malguzars excluded from management of their mahals . .	,, (E.B.)Ben.Reg.9,1833,	s.5. s.11.
Power to revise settlement of estates during continuance of leases; revision how to be made; grant of renewed leases; limit to assessment	(E.B.)Ben.Reg.7,1822,	ss. 6,7.
Power of Revenue-officer to grant leases of waste-land for cultivation and to assign an allowance to zamindars, etc., having rights therein	,,	s.8.
Collectors, in making or revising settlements,—		
to ascertain and record full information in regard to landed tenures and the rights, etc., of the various classes of the agricultural community, and	,,	s.9(*1*).
to record lakhiraj tenures		
Cesses and collections not taken into account in fixing assessments to be void, unless specially sanctioned by Government .		
Power of Collector to grant pattas to owners and occupants of land	,,	s.9(*2*).
Power to take five years' engagements for revenue without completing detailed inquiry	,,	s.9(*3*).
Settlement with whom to be made where there are several holders	,,	s.10.
Power to prescribe distribution of profit resulting from limitation of jama	,,	s.10(*1*).
Collector, in making registry, to proceed on basis of actual possession	,,	s.11.
Power of Collector to re-distribute charges and revenue payable by co-purchasers, and to partition land; his decision may be contested by suit in District Court	,,	s.12.
Collectors not to disturb possession; claims of persons not in possession to be decided by suit	,,	s.13.
Collector empowered, subject to suit in Civil Court, to—		
declare nature and extent of interests of persons in possession of land	,,	s.14(*1*)to(*3*).
restore possession to persons wrongfully dispossessed within a year	,,	s.14(*4*),(*5*).
take cognizance of claims to property in resumed mahal .	,,	s.15.
,, ,, ,, to lands held revenue-free or at a mukarrari jama . . .	,,	s.17.
Collector may be specially empowered to take cognizance of claims to property in any estate under settlement, subject to suit in Civil Court	,,	s.16.
Collector to be judge of question of jurisdiction, subject to suit in Civil Court	,,	s.18.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*concld.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*a*) SETTLEMENT GENERALLY—*contd.*

Powers of Collector as to enforcing attendance of, and examining, witnesses; application of Ben. Reg. 2, 1819	(E.B.)Ben.Reg.7,1822,s.19.
Power of Government to restrict Collectors' settlement powers, and to invest Collectors with settlement powers when not making or revising settlements	,, s.20[1]
Process for requiring attendance of parties before Collectors	,, s.21.[1]
Collector's office deemed to be Civil Court	,, s.23(*1*)[1]
Suits to contest Collectors' decisions under Ben. Reg. 7, 1822, ss. 11, 12, 14 to 20, to be deemed appeals from summary awards	,, s.23(*2*).[1]
Collectors authorized to execute their own awards under Ben. Reg. 7, 1822	,, s.23(*3*).[1]
Collectors empowered to depute native officers to make inquiries preparatory to settlement; powers of such officers	,, s.24(*1*).[1]
Process or order of Revenue-officer: punishment for resistance or obstruction to; Police to aid in execution of	,, s.24(*2*),(*3*).[1]
Pleadings in suits	,, s.26.[1].
Place for trial of suits by Collectors	,, s.28.[1]
Appeal to Board from decisions of Collectors in suits	,, s.29.[1]
Limitation of such appeals	(E.B.)Ben.Act3,1868,s.1.
Right to institute suit in Civil Court instead of moving Collector to act summarily	(E.B.)Ben.Reg.7,1822,s. 30.[1]
When suit instituted to contest Collector's summary decision, his proceedings to be filed on record	,, s.31.[1]
Reports by Collectors to Board and by Board to Government, as to causes decided or pending	,, s.32.[1]
Arbitration	(E.B.)Ben.Reg.7,1822,ss. 33,34.[1]. (E.B.)Ben.Reg.9,1833,ss. 5to10.
Power of Collector to interfere in cases of disputed possession	(E.B.)Ben.Reg.7,1822,s. 34.[1] (E.B.)Ben.Reg.4,1828,s.2 (*4*).
Power to invest officers with powers specified in Ben. Reg. 7, 1822, s. 20: application of s. 21 and following sections of that Regulation when officers so empowered.	(E.B.)Ben.Reg.9,1825,s.5.
Application of Ben. Reg. 7, 1822, ss. 23 (*1*), 28, to cases investigated under Ben. Reg. 2, 1819, or Ben. Reg. 9, 1825	,, s.5(9).
Lands held free of assessment to be specified in proceedings of Collector making settlement under Ben. Reg. 7, 1822	,, s.7.
Duration of settlement proceedings	(E.B.)Ben.Reg.4,1828,s.2 (*4*).
Police-officers to support Revenue-officers in execution of their duties	,, s.2(*4*).

[1] So much of s. 20 and following sections of Ben. Reg. 7,1822, as relates to account is repealed by Act 10,1859.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*b*) ASSESSMENT GENERALLY.

Allowances of kázis and kánungos, and pensions, paid by or through landholders, to be added to jama	(E.B.&A.)Ben.Reg.8,1793, s.34.
Assessment to exclude—	
certain sair collections, etc.	,, s.35.
lakhiraj lands	,, s.36.
Assessment to include—	
proprietors' private lands	,, ss.37,39,40.
chakaran lands	,, s.41.
Procedure where proprietor declines to engage for settlement at proposed assessment	,, s.43.
Following lands to be assessed—	
lands not already settled and not legally held free of revenue	(E.B.)Ben.Reg.2, 1819,s.3(*1*).
lands gained by alluvion or dereliction	,, s.3(*2*).
lands not permanently assessed	,, s.3(*3*).
Investigation to determine whether lands held wholly or partially free of revenue are liable to assessment or increased assessment:	
Investigation to be made by Collector; service of notices; penalties on parties, patwaris, etc., refusing to give evidence, etc.; examination of documents and witnesses; report by Collector to Board; final decision to rest with Board	(E.B.)Ben.Reg.2,1819,ss. 5to21.
Landholder to give security for payment of assessment and institute suit to try justice of demand; in default, Collector to proceed to final assessment	,, ss.22,23.
Modification of Ben. Reg. 2, 1819, ss. 5, 6, 8, 10, 11, 13, 15, 22	(E.B.)Ben.Reg.9,1825,s.5.
Ben. Reg. 2, 1819, s. 22, not to apply where lands illegally held free of revenue	,, s.8.
Suits to contest assessment: limitation of; appeal to High Court; procedure	(E.B.)Ben.Reg.2,1819,ss. 24,26. (E.B.)Ben.Reg.14,1825,s. 6. (E.B.)Ben.Reg.3,1828,s. 10(*3*)to(*5*).
Application of Ben. Reg. 2, 1819, ss. 11 to 14, 19, extended	(E.B.)Ben.Reg.7,1822, s.19(*2*).
Application of Ben. Reg. 2, 1819, to investigation of cases in which Collector considers that land belongs to Government and that no person has *bonâ fide* possession of the land	(E.B.)Ben.Reg.9,1825,s.5 (*12*).
Decision of Board under Ben. Reg. 2, 1819, s. 21, to be carried into effect notwithstanding suit to contest it; person declining to pay assessment to be dispossessed	(E.B.)Ben.Reg.3,1828,s.10. (*2*).
Farmans, sanads and grants by Native Rulers to be carefully examined and not received in evidence unless registered	(E.B.)Ben.Reg.2,1819,s. 28.
Ben. Reg. 2, 1819, not to affect right of proprietors to waste-land guaranteed at permanent settlement	,, s.31(*1*).

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*b*) ASSESSMENT GENERALLY—*concld.*

Revenue-authorities not to claim additional revenue from lands in estates for which permanent settlement made, unless the lands were expressly excluded from that settlement	(E.B.)Ben.Reg.2, 1819, s.31(*2*).
Unregistered tenures to be liable to resumption, unless declared hereditary by decree of competent Court; assessment of revenue	(E.B.)Ben.Reg.3,1828,s. 12.
Application of Ben. Reg. 2, 1819, to settlement of claims in respect of land granted by Government in Sundarbans	,, s.13.
Alteration of assessment when land lost or gained by diluvion or alluvion; indemnity to Government officers; repeal of prior Regulations	(E.B.)Act9,1847,ss.1,5,6, 9.
Addition of revenue assessed upon alluvial land to jama of original estate; separate settlement of alluvial land when to be made; saving of rights of under-tenants; record of such rights	(E.B.) Act31,1858,ss.1,2.
Assessment how affected by partition. *See* PARTITION, ETC.	

(*c*) REVENUE-FREE GRANTS.

(*i*) *Non-badshahi Lakhiraj Grants.*

Grants made before 12th August, 1765, and not subsequently rendered subject to payment of revenue:	
Declared valid, provided grantee obtained possession	(E.B.)Ben.Reg.19,1793,s.2 (*1*).
Reference of doubtful claims to Local Government	,, s.2(*2*).
Claims barred when made after payment of revenue for twelve years	
Grants for life or a term not extended, unless duly confirmed by Government as hereditary tenures	,, ss.2(*3*)to(*5*),47.
Grants made between 12th August, 1765, and 1st December, 1790, and not confirmed by Government:	
Declared invalid; exception as to grants made under Government authority and small grants made for religious or charitable uses	,, s.3(*1*),(*3*),(*4*).
Reference of doubtful claims to Local Government	,, s.3(*2*).
Grants made before 1st December, 1790:	
Declared void if forged, altered or antedated	,, s.17.
Registration of valid grants; grants not duly registered declared invalid, and must be assessed to revenue; registration not conclusive as to title to land or to exemption from revenue; lands so assessed to be entered in Collector's registers	,, ss.24,26to28. (E.B.) Ben.Reg.8,1800,s. 19.
Declaration of invalidity or nullity affects only payment of revenue, grantee retaining proprietary right	(E.B.)Ben.Reg.19,1793,ss. 4,17,27.
Assessment of, to revenue:	
Amount of assessment; procedure for making assessment	,, ss.5,8,9.
Revenue to whom to belong, and how recoverable	,, ss.6,7,11.
Grants made after 1st December, 1790, otherwise than by Local Government:	
Declared void	(E.B.)Ben.Reg.19,1793,s. 10.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd*

(*c*) REVENUE-FREE GRANTS—*contd.*

(*i*) *Non-badshahi Lakhiraj Grants*—contd.

Grants made after 1st December, 1790, otherwise than by Local Government—*contd.*	
Ben. Reg. 19, 1793, s. 10, not affected by other Regulations; assessment of lands illegally held free of revenue	(E.B.)Ben.Reg.9,1825,s.8.
Grants which are hereditary, and are declared valid by Reg. 19, 1793, or confirmed by Government, may be transferred; registration of transferees	(E.B.)Ben.Reg.19,1793,s. 20.
Conduct of suits against Government by persons claiming right to hold land free of revenue	,, s.15.
Ben. Reg. 19, 1793, not to—	
annul grants made or confirmed by superintendents of the bazi-zamin daftar	,, s.48.
extend to badshahi grants	,, s.49.
Modification of Ben. Reg. 19, 1793	(E.B.)Ben.Reg.14,1825,s. 3.

(*ii*) *Badshahi Lakhiraj Grants.*

Grants made before 12th August, 1765, and not subsequently resumed by Government:	
Declared valid, provided grantee obtained possession	(E.B.)Ben.Reg.37,1793,s.2 (*1*).
Reference of doubtful claims to Local Government	,, s.2(*2*).
Claims barred when made after payment of revenue for twelve years	
Grants for life not extended	,, s.2(*3*)to(*5*).
Grants made after 12th August, 1765, and not confirmed by Government:	
Declared invalid	,, s.3(*1*).
Reference of doubtful claims to Local Government	,, s.3(*2*).
Grants forged, altered or antedated, declared void	,, s.12.
Registration of valid grants; grants not duly registered declared liable to resumption and lands liable to payment of revenue; registration not conclusive as to title to land or validity of grant; lands so assessed to be entered in Collector's registers	,, ss.19,21to23. (E.B.)Ben.Reg.8,1800,s.19.
Declaration of invalidity affects only payment of Government revenue; claims as to proprietary right to be referred to Court	(E.B.)Ben.Reg.37,1793,s.4.
Escheated life-grant: attachment of revenue of; order for resumption to be obtained	,, s.5.
Assessment of, to revenue, on resumption or expiration of grant or on escheat	,, s.6.
Certain grants declared hereditary	
Jagirs to be considered as life-tenures only	
Grants which are hereditary, and are declared valid by Reg. 37, 1793, or confirmed by Government, may be transferred; registration of transferees	,, s 15.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

3. Settlement, and Assessment of Land-revenue—*concld.*

(c) REVENUE-FREE GRANTS—*contd.*

(ii) *Badshahi Lakhiraj Grants*—contd.

Conduct of suits against Government by persons claiming right to hold land free of revenue	(E.B.)Ben.Reg.37,1793, s.10.
Power to continue occupant in possession when revenue resumed, on his engaging for future assessment	(E.B.)Ben.Reg.13,1825, s.5.
Ben. Reg. 37, 1793, not to extend to non-badshahi grants	(E.B.)Ben.Reg.37,1793,s. 42.
Modification of Ben. Reg. 37, 1793	(E.B.)Ben.Reg.14,1825,s.3.

(iii) Grants for holding lands under tenures limiting the Government demand.

Provisions in Ben. Regs. 19 and 37, 1793, for determining validity of revenue-free grants, declared applicable to	(E.B.)Ben.Reg.2,1819,s.4.
Person succeeding to possession of, to report to Collector; procedure on failure to report	(E.B.)Ben.Reg.3,1828,s.11 (2),(3).

(iv) *Miscellaneous.*

Revenue of lands held by kanungos declared to be liable to resumption	(E.B.)Ben.Reg.5,1816,ss. 5,6.
Power to continue minhaidars in possession of resumed lands formerly held as lakhiraj by kanungos; continued payment of proprietor's dues; minhaidars' tenures declared heritable and transferable	(E.B.)Ben.Reg.13,1825, ss.2,3.
Ben. Reg. 13, 1825, ss. 2, 3, applied to certain other lakhiraj resumptions	,, ss.4,5.
Lakhiraj tenures under what circumstances alone valid	(E.B)Ben.Reg.14.1825,s.2.
Principles to be observed in determining validity of grants made before acquisition of territory by British Government	,, ss.3,4.
Person succeeding to possession of revenue-free grant to report to Collector; procedure on failure to report	(E.B.)Ben.Reg.3,1828,s.11 (2),(3).
Suits by proprietors, etc., to resume revenue of land held free of assessment, and suits by persons claiming to hold land exempt from revenue, to be determined by Civil Courts	(E.B.)Ben.Act7,1862,s.2.

See also above, (*a*), (*b*) (Investigation to determine, etc.); PERMANENT SETTLEMENT.

4. Collection of Land-revenue.

Land to be security for payment of revenue; surety required where land let in farm	(E.B.&A.)Ben.Reg.2,1793, s.37.
Remissions not to be granted without sanction of Local Government	,, ss.38,43.
Powers of Board as to granting temporary suspensions	,, s.42.
Revenue to be collected by Collector, under supervision of Board; Collector's power of coercion	,, ss.8,41.
Responsibility of zamindars or malguzars for payment of revenue when they hold on after expiration of lease	(E.B.)Ben.Reg.7,1822,s.2 (6).

LAND-REVENUE—*contd.*]

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

4. Collection of Land-revenue—*contd.*

Opening of separate account to admit sharers of estates of paying their shares of revenue separately	(E.B.)Act11,1859,ss.10to12.
Account not to be opened for a sharer under Act 11, 1859, s. 10 or s. 11, except for a share corresponding with the character and extent of his interest as recorded under Ben. Act 7, 1876	(E.B.)Ben.Act7,1876,s.69.
Power to open separate account under Act 11, 1859, for undivided interest held by proprietor in specific lands; fee; application of Act 11, 1859, s. 12	" ss.70,71.
Closing of accounts opened under Act 11, 1859, or Ben. Act 7, 1876, and opening of fresh accounts; applicants when to be referred to Civil Court; power of Collector to close account otherwise than on application	" ss.72to74A.
Act 11, 1859, ss. 10 to 12, not affected by Estates Partition Act, 1897	(E.B.)Ben.Act5,1897,s.16.
Collection how affected by partition. *See* PARTITION.	
Arrears of land-revenue:	
Recovery of arrears payable to tahsildar, etc.	(E.B.)Ben.Reg.3,1794,s.13.
Purchaser of land sold to attend Collector and execute engagement for payment of revenue assessed thereon	(E.B.)Ben.Reg.1,1801,s.10.
Sale of entire estate not to be annulled on ground that sharer had not obtained possession of his interest Board of Revenue to decide whether entire estate or part only should be sold	(E.B.)Ben.Reg.5,1812,s.24.
Sale of estate or share not to be annulled on ground that proceeds exceeded amount of arrear Board of Revenue to decide whether entire estate or part only should be sold	" s.25.
Assistant Magistrates, etc., to follow procedure prescribed for Collector, in instituting suit for recovery of	(E.B.)Ben.Reg.4,1821,s.7.
Power to farm mahal (not permanently settled), or hold it in khas management, for recovery of	(E.B.)Ben.Reg.9,1825,s.4.
No interest or penalty demandable on	(E.B.)Act12,1841,s.2.
Protection of estates of wards of Court and minors from sale for arrears	(E.B.&A.)Ben.Act9,1879,ss.23to26.
See also PERMANENT SETTLEMENT.	
Arrears of land-revenue, and demands recoverable as such arrears:	
(1) Recovery of, under Act 11, 1859:	
Local extent of Act 11, 1859	(E.B.)Act11,1859,s.62.
"Arrear of revenue" defined	(E.B.)Act11,1859,s.2.
"Collector" includes Deputy Collector	" s.61. (E.B.)Act7,1868,s.1.
Definitions of "estate," "jurisdiction," "proprietor," "revenue," "tenure"	" s.1.
Board to determine dates for payment of arrears and demands; notification of sales	(E.B.)Act11,1859,s.3.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

4. Collection of Land-revenue—*contd.*

Arrears of land-revenue, and demands recoverable as such arrears—*contd.*

(1) Recovery of, under Act 11, 1859—*contd.*

In default of payment of arrear or demand on due date, estate to be sold at public auction to highest bidder, but notification of arrears or demand and of latest day for payment to be first published in certain cases	(E.B.)Act11,1859,ss.3,5. (E.B.)Ben.Act7,1868,s.11.
Power of Local Government to authorize Collectors to issue notices to proprietors before realizing arrears; recovery of costs of serving such notices	s.6.
Power to sell tenures in same way as estates; residue of purchase-money to be held for tenureholder; notice of arrear and latest day for payment when to be issued	s.11.
Sale to be effected after notification thereof; payment after sunset of latest day for payment not to stop sale	(E.B.)Act11,1859,s.6.
When separate account opened for share of estate, that share to be put up for sale in the first instance, for recovery of arrears due in respect of it	,, ss.13,14. (E.B.)Ben.Act7,1876,s.71.
Act 11, 1859, ss. 13, 14, not affected by Estates Partition Act, 1897	(E.B.)Ben.Act5,1897,s.16.
Place for holding sale	(E.B.)Act11,1859,s.19.
Power to adjourn sale	,, s.20.
Order in which estates are to be sold	,, s.21.
Restrictions on sale of estates held under attachment by Revenue-authorities	,, s.17.
Power of Revenue-authorities to exempt estate or share from sale	,, s.18.
Claims of defaulter against Government, and unappropriated deposits with Collector, not to bar or invalidate sale	,, s.8.
Effect of deposit by person having interest in estate when made before latest day for payment	,, s.9.
Deposit with Collector for payment of arrears as they accrue, so as to prevent sale; power to withdraw deposit	,, ss.15,16.
Fees on applications under Act 11, 1859, ss. 15, 16	(E.B.)Ben.Act3,1862,s.3, Sch.
Deposit by purchaser; balance of purchase-money when to be paid; punishment for not paying balance; re-sale on default in payment	(E.B.)Act11,1859,ss.22to 24,56,57.
Sale when final	,, s.27.
Certificate of title to be given when sale final	(E.B.)Act11,1859,s.28, Sch. A. (E.B.)Ben.Act7,1868,s.11.
,, ,, to be conclusive evidence of regularity in service of notices	,, s.8.
Delivery of possession, after sale how to be effected	(E.B.)Act11,1859,s.29.
Application of purchase-money	,, s.31. (E.B.)Ben.Act7,1868,s.11.

LAND-REVENUE—*contd.*

V.—EASTERN BNEGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

4. Collection of Land-revenue—*contd.*

Arrears of land-revenue and demands recoverable as such arrears—*contd.*

(1) Recovery of, under Act 11, 1859—*contd.*

Purchaser liable for all revenue falling due after latest day on which arrear, for which estate was sold, ought to have been paid	(E.B.)Act11,1859,s.30.
Notice to raiyats and under-tenants not to pay to defaulting proprietor rent falling due after latest day for payment of arrear	,, s.7. (E.B.)Ben.Act7,1868,s.7.
Recovery by defaulter of rent which accrued before such latest day	(E.B.)Act11,1859,s.55.
Purchaser of permanently-settled estate sold for its own arrears: rights of, as to avoidance of incumbrances and under-tenures, enhancement of rent and ejectment of tenant	,, s.37.
Purchaser of estate not permanently settled, sold for its own arrears: rights of, as to avoidance of incumbrances and tenures, and enhancement of rent	,, s.52.
Rights of purchasers of estates in other cases	,, ss.53,54.
Purchaser of tenure sold for its own arrears: rights of, as to avoidance of incumbrances and under-tenures, ejectment of tenants and enhancement of rent	(E.B.)Ben.Act7,1868,ss.12 to14.
Appeal to Commissioner against sale; his power to annul sale on such appeal, and award compensation	,, s.2.
Power of Local Government to annul sale; procedure after annulment	(E.B.)Act11,1859,ss.26,32.
Restrictions on annulment of sale by Civil Court; procedure after annulment	,, ss.33to35.
Suit to oust certified purchaser on ground that purchase was made for another, to be dismissed with costs	,, s.36.
Power to purchase estate on account of Government	(E.B.)Act11,1859,s.58.
Ben. Regs. 7, 1822, and 9, 1825, applied to estates purchased on account of Government	,, s.60.
Estates to be deemed, for purposes of Act 11, 1859, and Ben. Act 7, 1868, to be within the Collectorate of the Collector upon whose general register the revenue thereof is borne	(E.B.)Ben.Act7,1868,s.10.
Punishment for contempt committed in presence of Collector; default in making deposit under s. 22 deemed a contempt	(E.B.)Act11,1859,ss.56,57.
Mode of serving notices	(E.B.)Ben.Act7,1868,s.5.
Procedure where arrear is due in respect of a settled estate	(E.B.)Ben.Act3,1904,ss. 33,34.

Registration to secure tenures and farms against auction-purchaser at sale for arrear. *See* REGISTRATION OF LAND.

(2) Recovery of, in Eastern Bengal, under Ben. Act I, 1895. *See* PUBLIC DEMANDS, II.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*concld.*

5. Miscellaneous.

Rules for khas management applied to estates purchased by Government on sale for arrears of revenue, and other estates, the property of Government	(E.B.)Ben.Reg.11,1822,s.36.
Village-accounts: three copies of, to be prepared, for offices of Collector, patwari and kanungo, respectively; accounts when and how to be furnished; inspection of accounts	(E.B.)Ben.Reg.9,1833,ss.12,13.
Chittagong Hill Tracts:	
Power to make rules for division of tracts into circles, taluks, mauzas; revenue administration and collection of rents; appointment, etc., of chiefs, diwans, headmen	Reg.1,1900,s.18(2)(c)to(i).

B.—ASSAM.

1. Preliminary.

Repeal and savings	Reg.1,1886,s.2.	
Definitions	,,	ss.3,67,96.
Power to constitute, and alter limits of, sub-divisions	,,	s.125.

2. Revenue, Settlement and Survey Officers.

Revenue-officers:		
Local Government	,,	s.122.
Commissioners, Deputy Commissioners, Assistant Commissioners and Extra Assistant Commissioners	,,	s.123.
Appointment, suspension and removal of other officers	,,	s.124.
Authority to place Assistant Commissioner in charge of sub-division; his powers; authority to confer such powers on other officers	,,	ss.125to127.
Subordination of; transfer of cases to and withdrawal of cases from	,,	ss.128to130.
Retention of powers on transfer	,,	s.131.
Temporary Deputy Commissioner to have powers of Deputy Commissioner under Regulation	,,	s.132.
Settlement-officers and Survey-officers:		
Appointment, subordination, suspension and removal of	,,	ss.133,134.
Powers of	,,	ss.135to137.
Exercise of powers of, by other officers	,,	s.138.
Mode of conferring powers; withdrawal of powers	,,	s.139.

3. Settlement.

(*a*) GENERAL.

"Settlement operations" include survey and demarcation of land, assessment of land-revenue, and record-of-rights	,,	s.17.
Notification of settlement	,,	s.18.
Duration of settlement proceedings	,,	s.19.
Power to exclude area or estate from operation of Chapter III (ss. 17 to 47)	,,	s.20.

(*b*) SURVEY AND DEMARCATION OF LAND.

Assistance in making survey	,,	s.21.
Erection and maintenance of boundary-marks	,,	ss.22to27.
Settlement of disputes as to boundary-marks	,,	s.23.
Power to make rules	,,	s.27.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

B.—ASSAM—*contd.*

3. Settlement—*contd.*

(*c*) ASSESSMENT OF LAND-REVENUE.

What land liable to assessment; savings	Reg. 1, 1886,	s. 28.
Power to make rules as to assessment	,,	s. 29.
Settlement-officer to frame and submit general proposals	,,	s. 30.
Determination of amount of assessment; offer of assessment to whom to be made	,,	ss. 31, 32.
Option to accept or refuse assessment; form of acceptance; effect of acceptance or refusal	,,	ss. 33 to 36.
Apportionment of assessment	,,	s. 37.
Representation of lunatics, minors, etc.	,,	s. 38.
Effect of decision of Settlement-officer as to settlement	,,	s. 39.

(*d*) RECORD-OF-RIGHTS.

Record to be framed	,,	s. 40.
Entries to be made, and disputes settled, on basis of possession; claimants not in possession to be referred to Court	,,	s. 41(*1*).
Presumption as to correctness of entries in	,,	s. 41(*2*).
Determination of dispute as to class of tenant or rent payable by him	,,	s. 42.

(*e*) MISCELLANEOUS.

Inquiry by Deputy Commissioner as to land held free of assessment; assessment of such land; suit to set aside order of assessment	,,	ss. 43 to 46.
Power to impose hoe-tax or house-tax in lieu of land-revenue	,,	s. 47.

4. Revenue-administration.

(*a*) COLLECTION OF LAND-REVENUE AND SUBSTITUTED TAXES.

Liability for land-revenue	,,	ss. 63 to 65(*5*).
,, ,, house-tax imposed in lieu of land-revenue	,,	s. 64.
Procedure when co-proprietor of permanently-settled estate desires to pay revenue separately	,,	s. 65.
Revenue when due, and where, how and to whom payable	,,	s. 66.
Arrear of land-revenue:		
Definition of "arrear" and "defaulter"	,,	s. 67.
Issue of notice of demand	,,	s. 68.
Processes for recovery	,,	ss. 69 to 91.
Application of Ch. V. (ss. 68 *et seq.*) to recovery of sums realizable under other enactments as arrears of land-revenue	,,	s. 94.
Power of Local Government to make rules for execution of Ch. V	,,	s. 95.
Recovery, as arrears of land-revenue, of—		
costs of serving notice or process for recovery of revenue	,,	s. 92.
fines, costs, etc., payable under Reg. 1, 1886	,,	s. 144.
rents, fees, royalties, etc., due to Government	,,	s. 144A.
defalcations of subordinate Revenue-officers	,,	ss. 145, 146.
Recovery of arrears due at commencement of Regulation	,,	s. 93.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

B.—ASSAM—*contd.*

4. Revenue-administration—*contd.*

(*b*) RECORDS.

Preparation and maintenance of registers	Reg. 1, 1886,	ss. 48, 49.
Registration of proprietors of estates, landholders and managers and mortgagees in possession of estates	,,	ss. 50 to 54, 57 to 59.
Registration of tenures in permanently-settled estates	,,	ss. 55 to 57.
Public entitled to inspect and to receive extracts from registers	,,	s. 60.
Power of Deputy Commissioner to pay recorded proprietors, etc., money due to them in accordance with their registered interests	,,	s. 61.
Registration not to affect right to bring suit in Civil Court, and not to amount to an admission that land is held revenue-free	,,	s. 62.

See also above, 3 (*d*).

(*c*) PARTITION AND UNION OF REVENUE-PAYING ESTATES.

Definition of "perfect partition" and "imperfect partition"	,,	s. 96.
What persons entitled to partition	,,	s. 97.
Perfect partition:		
Application for	,,	s. 98.
Ascertainment and disposal of objections to partition; reference to Civil Court	,,	ss. 99 to 101.
Making of partition by Deputy Commissioner	,,	ss. 102, 103.
Option to parties to make partition themselves or appoint arbitrators	,,	s. 103.
General powers of Deputy Commissioners, etc., in making partition	,,	s. 104.
Principles to be followed in making partition	,,	ss. 105 to 113.
Costs	,,	s. 114.
Power to stay proceedings	,,	s. 115.
Proclamation of partition	,,	s. 116.
Procedure to be followed by Deputy Commissioner in giving effect to partition	,,	s. 116A.
Appeals	,,	s. 117.
New allotment of revenue on proof of fraud or error in first distribution	,,	s. 118.
Imperfect partition; procedure for	,,	s. 119.
Persons entitled to claim union of revenue-paying estate	,,	s. 120.
Power to make rules as to partition and union and as to assessment of land-revenue on estates divided	,,	s. 121.
Cases in which Civil Court may not exercise jurisdiction in matters relating to partition	,,	s. 154 (*d*) to (*f*).
Powers of Civil Court in making imperfect partition of revenue-paying estate; apportionment of revenue-liability by Deputy Commissioner	,,	s. 154 (*3*), (*4*).

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

B.—ASSAM—*contd.*

4. Revenue-administration—*contd.*

(*d*) MISCELLANEOUS.

Power to put one party in possession when dispute arises on inquiry as to transfer of estate, etc.	Reg.I,1886,s.54.	

5. Miscellaneous.

Places in which Revenue, Settlement and Survey Officers may hold Court; power to call for evidence	,,	ss.140to 142.
Reference to arbitration	,,	s.143.
Recovery of fines, costs, etc.	,,	s.144.
Recovery of rents, fees, royalties, etc., due to Government	,,	s.144A.
Recovery of defalcations of subordinate Revenue-officers	,,	ss.145,146.
Appeal and revision	,,	ss.147,151.
Matters excepted from jurisdiction of Civil Courts	,,	s.154.
Power to make rules as to procedure of officers	,,	s.152.
General power of Local Government to make rules	,,	s.155.
Penalty for breach of rules	,,	s.156.
Procedure for making and publishing rules	,,	s.157.
Triennial consolidation and publication of rules	,,	s.158.
Powers exercisable from time to time	,,	s.159.
Irregularities not to invalidate proceedings	,,	s.153.

VI.—BOMBAY PRESIDENCY.

SUITS IN CIVIL COURTS.

Act 16, 1838, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts	Act15,1874,s.5.	
Suits relating to tenures or right to possession of land to be brought in Civil Courts and not in Revenue Courts	Act 16,1838,s.1(*I*)	
Procedure where Collector in whose Court suit is instituted considers he has no jurisdiction to try it, or where superior Court finds that Subordinate Court had no jurisdiction	,,	ss.2to5.
Act 10, 1876, extends to whole Presidency of Bombay, but does not affect—		
assessment or collection of land-revenue in Bombay City, or certain Acts	Act10,1876,s.1.	
Definitions	,,	s.3.
Bar to jurisdiction of Civil Courts in certain cases relating to the land-revenue, partition, boundaries	,,	ss.4,5,Sch. II.
Bar to certain suits against Revenue-officers	,,	ss.6,7.
Suits against Government not to be entertained in Civil Courts unless plaintiff has exhausted his right of appeal	,,	s.11.
Reference of question by Government to High Court; reference of question of jurisdiction by Civil Court to High Court	,,	ss.12to14.
Right of Government to object to suit against it being transferred to Assistant Judge, and to require that such suit shall have precedence over trial of other suits	,,	s.16.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY).

A.—GENERALLY.

1. Preliminary.

Bom. Act 5, 1879, extends to whole of the Presidency of Bombay except Scheduled Districts and City of Bombay; extension of ss. 2 and 23 to 30, with modifications, to City of Bombay	Bom. Act 5, 1879, s.1 (am. Bom. Act 1, 1910, s.2).	
Definitions	,,	ss.3,14,47,147.
Division: what comprised in; power to constitute and to alter limits of	Bom. Act 5, 1879, s.4.	
Districts: constitution of; power to prescribe limits of Taluqas, mahals and villages: power to prescribe number of, in district	,,	s.7.

2. Revenue-officers and Survey-officers.

Commissioners: number, appointment, powers and duties of	,,	ss.4,5.
,, number, appointment and duties of Assistants to	,,	s.6.
Collectors; appointment, subordination, powers and duties of	,,	s.8.
Assistant Collectors and Deputy Collectors: number, appointment, subordination, duties and powers of	,,	ss.6,9,10.
Temporary Collector to have powers of Collector	,,	s.11.
Mamlatdars and Mahalkaris:		
Appointment, powers and duties of	,,	ss.12,13.
Subordination of Mahalkaris	,,	s.13.
Employment of subordinates to perform duties of	,,	s.14.
Stipendiary patels and village-accountants; appointment, etc., of	,,	s.16.
Village-accountants; records and writings to be kept and prepared by	,,	s.17.
Survey-officers; appointment, designations, subordination, powers and duties of	,,	s.18.
Subordination to Collector of all officers employed in land-revenue administration	,,	s.9.
Combination of offices	,,	s.19.
Certain appointments to be notified	,,	s.20.
Duties and powers of temporary officers	,,	ss.11,15,20.
Appointments of members of establishments of, by whom to be made; qualifications of	,,	ss.21,214(*a*).
Seals to be used by Revenue-officers	,,	s.22.
Security to be furnished by certain officers; liability of Revenue-officers, their heirs and sureties; withdrawal of sureties	,,	ss.23,24,27 to 30, Schs. B, D.
Recovery of Government money, papers or property withheld by	,,	ss.25,26, Sch. C.
Officers not to trade, etc.	,,	s.31.
Punishment of; appeals from orders of punishment	,,	ss.32 to 36, 214 (*b*).
Control over	,,	s.188.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—GENERALLY—*contd.*

3. Assessment of Land-revenue.

(*a*) GENERALLY.

All land liable to land-revenue; exceptions	Bom. Act 5, 1879, s. 45.
Liability of alluvial lands, etc., to land-revenue	,, s. 46.
Decrease of assessment when land lost by diluvion	,, s. 47.
Assessment, and variation thereof, according to purposes to which land is appropriated; power to prohibit appropriation of land to particular purposes	,, ss. 48, 214(*c*).
Assessment of land occupied without authority	,, s. 61.
Commutation of cess, fine or tax, or occasional assessment, into annual assessment	,, ss. 49, 50.
Excess assessment of land held with land exempt from revenue may be charged on latter land	,, s. 51.
Fixing of assessment	,, ss. 52, 214(*d*).
Validity of assessments under s. 52 fixed prior to amendment of the section by Bom. Act 6, 1901	Bom. Act 6, 1901, s. 5.
Settlement of assessment with whom to be made	Bom. Act 5, 1879, s. 54.
Re-assessment in case of relinquishment or transfer of right of occupancy	,, ss. 75 to 78.
Remission of land-revenue when strip of land covered by road-side trees is deducted from holding	,, s. 42.
Certain land to be assessed. *See* LAND, D (*b*).	
Exemption of certain land from assessment. *See* LAND, D (*b*).	

See also below, 4.

(*b*) REVENUE-FREE LANDS.

Power to appoint Inam Commissioner to determine claims to hold land wholly or partially free from payment of revenue. Power to appoint Assistants and other establishments for Inam Commissioner	Act 11, 1852, s. 2.
Duties of Inam Commissioner and his Assistants	,, s. 3, Sch. A.
Rules for determining titles of claimants	,, s. 4, Sch. B.
Powers of Inam Commissioner and his Assistants for taking evidence. Appeals	,, s. 5, Sch. A.
Punishment of misconduct of officers on Inam Commission; definition of "extortion"; saving of suits	,, s. 6.
In territories subject to Act 11, 1852:	
Definitions	Bom. Act 2, 1863, s. 16.
Power to appoint officers under Bom. Act 2, 1863, and invest them with authority conferred by Act 11, 1852, on Inam Commissioners and Assistant Inam Commissioners	,, s. 9.
Power to continue exemption of lands from payment of land-revenue in perpetuity, without formal adjudication of title, where landholder consents to conditions; exception of certain lands	,, s. 1.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—GENERALLY—*contd.*

3. Assessment of Land-revenue—*contd.*

(b) REVENUE-FREE LANDS—*contd.*

In territories subject to Act 11, 1852—*contd.*

When exemption of lands so continued, the lands to be heritable and transferable, subject to annual payment to Government of nazrana and quit-rent; rules for ascertaining assessment for purpose of calculating quit-rent	Bom. Act 2, 1863,	ss. 2, 3.
Power to extend the heritability and transferability of land-revenue exemptions which have been formally adjudicated as heritable in perpetuity; annual nazrana to be paid	,,	s. 4.
Substitution of occasional for annual nazrana when the annual sum exceeds ten rupees	,,	s. 5.
Holders of land asserting right to exemption from payment of land-revenue may claim adjudication upon their title according to Act 11, 1852, as modified by Bom. Act 2, 1863; effect of making such claim; security to be furnished, or assessment levied, pending adjudication	,,	ss. 6, 7.
Service of notice on holder of land asking whether or not he claims an enquiry under s. 6; subsequent procedure	,,	s. 11.
Burden of proof on whom to lie in enquiries under s. 6	,,	s. 10.
Lands held on behalf of religious or charitable institutions: continuance or adjudication of exemption from payment of land-revenue; bar to transfers	,,	s. 8.
Appeals from orders, etc., under ss. 2, 5, 8	,,	s. 13.
Recovery of quit-rents, nazranas, etc.	,,	s. 15.

In territories not subject to Act 11, 1852:

Definitions	Bom. Act 7, 1863,	s. 32.
Power to continue exemption of lands from payment of land-revenue in perpetuity, without proof of title, where land-holder consents to conditions; exception of certain lands	,,	s. 2.
	,,	s. 3.
When exemption of lands so continued, the lands to be heritable and transferable, subject to annual payment of quit-rent to Government; rules for ascertaining assessment for purpose of calculating quit-rent	,,	ss. 6, 7.
Service of notice on holder of land asking whether he accepts settlement described in ss. 6, 7, or demands formal enquiry into his title	,,	s. 9.
Consequences to ensue when holder proves that his title has already been formally adjudicated	,,	s. 8.
Procedure where holder claims formal enquiry	,,	ss. 10(1), 11 to 26, Sch.
Burden of proof on whom to lie when formal enquiry made	,,	s. 14.
Assessment to be levied on land for which title to hold free not established	,,	s. 10(2), (3).
Resumption of land-revenue in case of certain classes of lands alienated by holders	,,	s. 3.
Appeals from orders, etc., under Act	,,	ss. 19, 28.
Recovery of quit-rents	,,	s. 30
Power to enter lands for purpose of making assessment	,,	s. 31.
Application of Act 11, 1852, and Bom. Acts 2 and 7, 1863, to agricultural lands in towns and cities	Bom. Act 5, 1879,	s. 127.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—GENERALLY—*contd.*

4. Revenue-survey and Settlement.

Power to order revenue-survey ; lands to be surveyed ; control of Local Government over survey	Bom. Act 5, 1879,	s.95.
Power of Survey-officer to require assistance	,,	ss.96, 97.
Minimum area of agricultural land to be comprised in survey-number	,,	s.98.
Special provisions as to recognised shares of survey-numbers	,,	s.99.
Assessment of land-revenue :		
Fixing of assessment	,,	ss.100, 101, 214(*d*).
Sanction of Government required to assessment Term of assessment	,,	s.102.
Announcement of assessments after sanction obtained	,,	s.103.
Assessment when to take effect; remission of increased assessment when occupant relinquishes his land in following year	,,	s.104.
Assessment not to bar levy of lawful cesses or water-rate	,,	s.105.
Bar to enhancement of, during term fixed	,,	s.106.
Rules to be observed in revision of	,,	s.107.
Power to direct fresh survey	,,	s.106.
Survey-officer to prepare settlement register and records	,,	s.108.
Correction of errors in settlement register	,,	s.109.
Collector to keep settlement-register and certain records and to frame village-records in accordance therewith and to register changes	,,	s.110.
Continuance of existing survey-settlements	,,	s.112.
Ss. 95 to 112 how far applicable to alienated villages	,,	s.216.
Power to make rules for the administration of any survey-settlement	,,	s.214(*g*).

5. Revenue-administration.

(*a*) COLLECTION OF LAND-REVENUE.

Security for land-revenue	,,	s.56.
Receipt to be given for land-revenue, and (except in Panch Mahals) to be signed by village-accountant ; penalty	,,	s.58(sub. Bom. Act 1, 1910, s.2), s.59. Act 7, 1885, s.2, Sch. (am Bom. Act 1, 1910, s.2).
Collection of land-revenue in cases of relinquishment or private transfer of occupancy-right	Bom. Act 5, 1879,	ss.75 to 79.
Responsibility for payment of land-revenue	,,	s.136.
Claims of Government to have priority over all other claims	,,	s.137.
Land-revenue when, how, where and to whom to be paid	,,	ss.139, 146.
,, recoverable from the crop, in priority to other claims	,,	s.138.
Power to prevent removal or reaping of crop until land-revenue paid	,,	ss.140 to 143.
Power to take village or share thereof under management, as security for land-revenue	,,	s.144.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—GENERALLY—*contd.*

5. **Revenue-administration**—*contd.*

(*a*) COLLECTION OF LAND-REVENUE—*contd.*

Release of crop, village or share on security being furnished for payment of revenue	Bom. Act 5, 1879,	s. 145.
Arrear of land-revenue :		
Definition of "arrear" and "defaulter"	,,	s. 147.
Certified account to be conclusive evidence of arrear Collectors may realise arrears accruing in other districts or in City of Bombay	,,	s. 149.
Processes for recovery of	,,	ss. 56, 57, 150 to 163, Sch. C.
Processes may be put in force immediately, and fine imposed or interest charged	,,	s. 148.
Disposal of forfeited occupancies or alienated holdings under s. 56	,,	s. 214(*e*).
Stay of proceedings on security being given	,,	s. 164, Sch. D.
,, ,, on payment under protest	,,	s. 164.
Procedure in respect of sales	,,	ss. 165 to 186.
Payment of, by co-occupant, etc., to avoid forfeiture, and recovery of sum so paid from person liable	,,	s. 80.
Power of Collector to make co-occupant the registered occupant on payment of arrears, instead of selling occupancy-right	,,	s. 81.
Power to recover arrear from co-occupant, co-sharer, inferior holder or actual occupant ; right of such person to be credited with payments so made	,,	s. 136.
Certain sums recoverable as	,,	ss. 26, 34, 43, 55, 62, 86, 87, 113(*3*), 187. Bom. Act 1, 1880, s. 36.
Recovery in Bombay City of arrears accruing in other parts of Bombay Presidency	Bom. Act 2, 1876,	s. 38.
Recovery in other parts of the Bombay Presidency of arrears accruing in Bombay City	Bom. Act 5, 1879,	s. 149.
Issue of commission conferring on holder of alienated lands certain powers under Act for recovery of land-revenue, with modifications	,,	ss. 88 to 94, Schs. D, F.
Recovery of superior holder's dues on account of land-revenue. *See* LANDLORD AND TENANT, V, 1.		

(*b*) PARTITION.

Partition of estates paying land-revenue to Government	,,	s. 113.
Partition of khoti estate into which revenue-survey introduced, or taluqdari estate	,,	s. 114.
Bom. Act 5, 1879, s. 114, repealed as to taluqdari estates in Ahmedabad, Broach, Kaira and Panch Mahals Districts	Bom. Act 6, 1888,	s. 3.
Power to sub-divide survey-numbers when revising survey	Bom. Act 5, 1879,	s. 115.
Power to form into a separate survey-number land appropriated for a non-agricultural purpose	,,	s. 116.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—GENERALLY—*contd.*

5. Revenue-administration—*contd.*

(*b*) PARTITION—*contd.*

Bom. Act 5. 1879, ss. 113, 115, 116, not to affect Bom. Act 5, 1862 (Bhagdari and Narwadari Tenures)	Bom. Act 5, 1879,	s. 117.
Ss. 113 to 117 how far applicable to alienated villages	,,	s. 216.

(*c*) BOUNDARIES.

Rules for fixing boundaries of villages and determining disputes relating thereto	,,	s. 118.
Determination of boundaries of fields or holdings	,,	s. 119.
Settlement of boundary disputes by arbitration; settlement by Survey-officer on failure of arbitrators	,,	s. 120.
Effect of settlement of boundary	,,	s. 121.
Boundary-marks:		
Construction and repair of, and assessment of charges; responsibility for maintenance of	,,	ss. 122 to 124.
Issue of commission to holder of alienated lands to exercise powers of Survey-officer under s. 122	,,	ss. 88(*f*), 89, Sch. F.
Village-officers and servants to prevent destruction or unauthorised alteration of	,,	s. 123.
Penalty for injuring, etc.; disposal of fines	,,	s. 125.
Ss. 118 to 125 how far applicable to alienated villages	,,	s. 216.

(*d*) MISCELLANEOUS PROVISIONS.

Provisions as to temporary management of villages or estates not belonging to Government	,,	s. 111.
Liability to pay land-revenue not affected by entry in record-of-rights, etc.	Bom. Act 4, 1903,	s. 13.

6. Miscellaneous.

Power to call evidence; provisions as to summonses	Bom. Act 5, 1879,	ss. 189, 190, 192.
Service and validation of notices	,,	s. 191.
Procedure in enquiries made under Act	,,	ss. 193 to 197.
Copies and translations of orders, etc., to be furnished	,,	s. 198.
Arrest to be upon warrant	,,	s. 199.
Power to enter land for purposes of measurement, etc.; notice of entry	,,	s. 200.
Power to determine ordinary language of district	,,	s. 201.
Procedure for evicting person wrongfully in possession of land	,,	s. 202, Sch. I.
Appeal and revision	,,	ss. 203 to 212, 214(*h*).
Maps, survey-records, village-accounts and land-registers to be open to inspection; extracts therefrom to be given to applicants	,,	s. 213.
Rules: power to make; publication of	,,	ss. 214, 215.
Application of Act to unalienated villages	,,	ss. 216 to 218.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

B.—KHOTS.

Power to grant leases to khots in Ratnagiri District or parts of Tana District or Sindh [1] for full period of settlement	Bom. Act 1, 1865, s. 37 (rep. locally, Bom. Act 1, 1880, s. 2).	
Local extent of Bom. Act 1, 1880	Bom. Act 1, 1880, s. 1.	
Definitions	Bom. Act 1, 1880, s. 3, Sch.	
Continuance of tenure of villages on fulfilment of conditions	,,	s. 4.
Survey and Settlement:		
Particulars to be entered in settlement-register and other records	,,	ss. 16 to 19.
Disputes to be determined by Survey-officer; reference to Civil Court	,,	ss. 20 to 22.
Administration of survey-settlements made under Bom. Act 1, 1880:		
Ss. 23 to 36 not to apply until survey-settlement made	,,	s. 23.
Amount of assessment of land-revenue	,,	s. 24.
Abolition of khots' annual kabuliyats	,,	s. 25.
Appointment of managing khot, where village held in shares; his duties and status; delegation of duties and powers of managing khot	,,	ss. 26 to 29, 31A.
Where village held by khot in his sole right, he is deemed to be the managing khot	,,	s. 30.
On separation of shares, Collector to determine assessment payable for each; liabilities of sharers	,,	s. 32.
Liability of khots for Local Fund cess; recovery thereof under Bom. Act 5, 1879, ss. 86, 87	,,	s. 36.
Continuance of existing survey-settlements	,,	s. 37.
New survey-settlement when to be introduced	,,	s. 38.
Power to make rules	,,	s. 40.
Certain portions of Bom. Act 5, 1879, not to apply to any village to which the Khoti Settlement Act, 1880, extends; certain portions of Bom. Act 5, 1879, to be subject to modification when applied to any such village.	,,	s. 39.

C.—GUJARAT TALUQDARS.

1. Preliminary.

Local extent of Bom. Act 6, 1888	Bom. Act 6, 1888, s. 1.	
Definitions	,,	s. 2.

2. Survey and Settlement.

Power to order	,,	s. 4.
Particulars to be entered in settlement register	,,	s. 5.
Disputes to be determined by Survey-officer; correction of register in accordance with decision of Court	,,	ss. 6, 8.
Custody and amendment of records; registered taluqdars entitled to copy of settlement-register	,,	ss. 7 to 9.

[1] Bom. Act 1, 1865, has been declared in force in parts of Sindh by notification under the Scheduled Districts Act, 1874.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*concld.*

C—GUJARAT TALUQDARS—*contd.*

3. Assessment and Collection of Land-revenue.

Amount of assessment	Bom. Act 6. 1888,	ss. 22(*1*), 23.
Power to fix assessment for thirty years	,,	s. 22(*2*).
Responsibility for payment	,,	s. 24(*1*).
Recovery of arrears	,,	s. 24(2),(*3*).
After partition, Collector to determine assessment payable on each separated portion	,,	s. 25.

4. Partition.

Who entitled to partition	,,	s. 10.
Application for partition; ascertainment of objections, and disposal thereof by Court or Taluqdari Settlement-officer; appeal to District Court	,,	ss. 11 to 13, 15. 16.
Power to reject application	,,	s. 14.
Partition how to be effected	,,	s. 17.
Confirmation and notification of; when partition to take effect	,,	s. 18.
Delivery of possession of shares	,,	s. 19.
Appeal to Commissioner from order confirming partition	,,	s. 20.
Bar of suits or applications to Civil Courts for partition	,,	s. 21.

See also above, 3.

5. Miscellaneous.

Management of Taluqdars' Estates by Government officers	,, (s. 28 am. Bom. Act 1. 1910, s. 2).	ss. 26 to 29, 29F
Disabilities of Taluqdar whose estate is taken under management	,,	s. 29A.
Application of provisions of Bombay Court of Wards Act, 1905	,,	s. 29G.
Police-officers and establishments; maintenance of	,,	s. 30.
Restrictions on alienation of Taluqdar's estate	,,	ss. 31, 32.
Section 31 of Bom. Act 6, 1888, not to apply to certain alienations by a malgamati	Bom. Act 2, 1905,	s. 2(2).
Certain portions of Bom. Act 5, 1879, not to apply to any estate to which the Gujarat Taluqdars Act, 1888, extends; certain portions of Bom. Act 5, 1879, to be subject to modification when applied to any such estate	Bom. Act 6, 1888,	ss. 1, 33.

VIII.—BOMBAY CITY.

1. Preliminary.

Definitions	Bom. Act. 2. 1876,	s. 3.

2. Establishments.

Control vested in Collector of Bombay, subject to Local Government	,,	s. 4.
Appointment, powers and duties of Collector	,,	s. 5.
Number, appointment, duties, powers and punishment of Assistants and other subordinates	,,	ss. 6, 7.

LAND-REVENUE—*contd.*

VIII.—BOMBAY CITY—*contd.*

2. Establishments—*contd.*

Security to be furnished by certain officers; liabilities of officers, their heirs and sureties; withdrawal of sureties; recovery of Government money, papers or property withheld by officers; application of Bom. Act 5, 1879, ss. 2, 23 to 30, with modifications, to Bombay City	Bom. Act 5, 1879, s. 1, proviso (add Bom. Act 1, 1910, s. 2).

3. Assessment and Collection of Land-revenue.

Fixing and levy of assessment	Bom. Act 2, 1876,	s. 8.
Settlement of assessment with whom to be made	,,	s. 9.
Liability for land-revenue	,,	s. 10.
Claims of Government to have precedence	,,	s. 11.
Payments how to be made	,,	ss. 9, 12 (am. Bom. Act 1, 1910, s. 2).
Recovery by attachment and sale of property or imprisonment of defaulter	,,	s. 13.
Stay of proceedings against defaulter on his paying under protest	,,	s. 15.
Fees for warrants issued under s. 13	,,	s. 16, Sch. A.
Institution of suits before Revenue Judge against Collector's decisions or proceedings under ss. 8 to 13; stay of proceedings on security being given	,,	ss. 14, 15.
Notice to be given to Collector of transfer of, or succession to, lands, houses, etc., paying land-revenue to Government; penalties for not giving notice	,,	ss. 30 to 33, Schs. B. C.
Registration of transfers by Collector; holding of enquiry in case of dispute as to transfer	,,	ss. 34, 35.
Recovery in Bombay City of arrears accruing due in other parts of Bombay Presidency	,,	s. 38.
Recovery, in other parts of the Bombay Presidency, of arrears accruing in Bombay City	Bom. Act 5, 1879,	s. 149.
Certain sums recoverable in same way as arrears of land-revenue	Bom. Act 2, 1876,	ss. 13, 37.

4. Survey and Boundaries.

Survey made in 1865 to 1872: demarcation and records to be evidence under Act; alteration or correction of demarcation or records	,,	s. 19.
Survey boundary-marks:		
Maintenance and repair of; expenses	,,	ss. 20, 22, 23.
Entry for inspection of	,,	ss. 21, 23.

5. Miscellaneous.

Revenue Judge:		
Who to be / Duties of	,,	s. 17.
Procedure of; appeals; execution of his decrees	,,	s. 18.
Application of Code of Civil Procedure	,,	ss. 18, 36.
Collector to keep registers and rent-rolls	,,	s. 39.
Records to be kept in Collector's office; inspection and granting of copies of records	,,	s. 40.
Rules; power to make; publication of	,,	s. 41.

LAND-REVENUE—*contd.*

IX.—LOWER BURMA.

1. Preliminary.

Local extent of Act 2, 1876	Act2,1876,s.1.
Bur. Act 4, 1898, local extent of; applies only to lands in towns and villages	Bur.Act4,1898,ss.1(2),2.
Definitions	Act2,1876, ss.3,44. Bur.Act4,1898,s.4.

2. Assessment of Land-revenue.

What land liable to assessment; rates and mode of assessment; power to alter rates	Act2,1876,ss.23to25. Bur.Act4,1898,ss.22,23.
Settlement: right to apply for	Act2,1876,s.26.
,, nature of	,, s.27.
,, rights conferred by	,, s.28.
,, term of	,, s.29.
,, continuance of expired settlement until new settlement is made	,, s.30.
Power to exempt land from revenue	,, s.18(c).
Power to impose toungya-tax in lieu of revenue-assessment; rates of tax	,, s.33.
Power to impose land-rate in lieu of capitation-tax; amounts of rate; power to exempt land from payment of rate	,, ss.35,36,Sch.
Year of assessment of revenue or rate; enhancement when to take effect	,, ss.41,42.
Power to make rules as to assessment of revenue, rate or tax	,, s.58(a).
Persons liable to income-tax not to be assessed to land-rate	Act2,1886,s.48.
Arakan Hill District:	
Assessment of measured land in the plains; tax on toungyas; alteration of rates; exemptions	Reg.9,1874,ss.10,11,13,14.

3. Collection of land-revenue.

Personal liability for land-revenue and land-rate or toungya-tax imposed in lieu thereof	Act2,1876,ss.37,38. Bur.Act4,1898,s.26.
Revenue, rate or tax when due, and where and to whom payable	Act2,1876,s.43.
Power to make rules as to collection of revenue, rate or tax	,, s.58(a).
Arrear of land-revenue, rate or tax:	
Definition of "arrear" and "defaulter"	,, s.44.
Realisation of, by Revenue-officer; his procedure; notice of demand to be issued	,, s.45.
Proceedings against the land for recovery of arrear of land-revenue or land-rate	,, ss.46to50.

LAND-REVENUE—*contd.*

IX.—LOWER BURMA—*contd.*

3. Collection of Land-revenue—*contd.*

Arrear of land-revenue, rate or tax—*contd.*	
Recovery of—	
costs of proceeding for realising arrear	Act 2, 1876, s. 51.
collections for which absconding Revenue-officer has not accounted	,, ss.52,53.
Recovery as, of money payable in consideration of grant or other disposition of Government land	,, ss.18(*d*).
Recovery of money as if it were an arrear of revenue	,, s.18(*d*),43. 44,51to53.
Arrears of revenue, etc., due under Bur. Act 4, 1898, to be first charge upon land; recovery of arrears	Bur.Act4,1898,ss.24,25.
Person recorded as being in possession of any land liable to pay all Government demands in respect of it	,, s.36.

4. Miscellaneous.

Erection and repair of boundary-marks	Act2,1876,s.54.
Appeal and revision	,, s.55.
Bar to jurisdiction of Civil Courts	,, s.56.
Powers conferable on Revenue-officers	,, s.57.
Rules: general power to make	,, s.58(rep.pt. [1]Bur.Act1,1910, s.4). [1]Bur.Act1,1910,s.3.
,, penalty for breach of	Act2,1876,s.59.
,, publication of	,, s.60.
Power of Revenue-officer to summon witnesses; witnesses bound to speak the truth	,, ss.54A,54B. Bur.Act4,1898,ss.38,38A.
Provisions as to appeal and revision, bar to jurisdiction of Civil Courts and power to make rules as regards town and village lands	,, ss.39to44.
Validation of sums levied in the past by Government in respect of town and village lands	,, s.46.
Bar of suit against Revenue-officer for things done under Bur. Act 4, 1898	,, s.45.

X.—UPPER BURMA.

1. Revenue-officers.

Classes and jurisdiction of	
Functions of	,, s.5.

[1] Bur. Act 1, 1910, will come into force when notified.

LAND-REVENUE—*contd.*

X.—UPPER BURMA—*contd.*

1. Revenue-officers—*contd.*

Superintendence and control over	Reg.3,1889,s.6.	
Distribution of business among, and transfer and withdrawal of cases	,,	s.7.
Appeal from orders of; review; revision	,,	ss.8to11.
Procedure of	,,	s.12.
Powers of, as to exclusion of legal practitioners	,,	s.13.
Power of, to call evidence	,,	s.14.
Service of summonses, notices and orders issued by	,,	ss.15,16.
Proclamations by, how to be made	,,	s.17.
Holidays to be observed by	,,	s.18.
Discharge of duties of Collector dying or being disabled	,,	s.19.
Retention of powers on transfer	,,	s.20.
Authority to confer powers of, on any person	,,	s.21.

2. Assessment of Land-revenue.

What lands liable to land-revenue; assessment how made	,,	s.27.
Power to declare holders of land in village to be jointly and severally responsible for revenue	,,	s.28.
Enhancement of revenue when to take effect	,,	s.28A.
Power to enter, demarcate and survey land, and cause ripe crop to be cut, etc., and measure produce, for purpose of assessment	,,	s.49A.

3. Collection of Land-revenue.

Time and mode of payment; definitions of "arrear", "defaulter", "moveable property" and "revenue"	,,	ss.37,38
Revenue the first charge on rents, etc.	,,	s.39.
Certified account to be conclusive evidence of arrear, except in certain cases	,,	ss.40,43.
Processes for recovery of revenue; effect on encumbrances of sale of immovable property; disposal of proceeds of sale of property	,,	ss.41,42,45.
Payment under protest and recovery by suit of sum paid	,,	s.43.
Power to make rules as to	,,	s.44,(rep.pt. [1]Bur.Act1,1910,s.4). [1]Bur.Act1,1910,s.3.
Prohibition of Revenue-officers or employés purchasing property sold	Reg.3,1889,s.46.	
Application of ss. 38 to 46 to recovery of—		
sums realisable under other enactments as arrears of land-revenue	,,	s.47.
thathameda-tax, rent of State lands and other moneys due to Government	,,	ss.26(iv),37.
Bar to jurisdiction of Civil Courts	,,	s.53.

[1] Bur. Act 1, 1910, will come into force when notified.

LAND-REVENUE—*contd.*

X.—UPPER BURMA—*concld.*

4. Miscellaneous.

Preparation and maintenance of record-of-rights and register of mutations; power to make rules	Reg.3,1889,ss.29,30.
Power of Revenue-officer to put one party in possession when disputes arises on enquiry as to transfer of estate, etc.	,, s.30.
Rules as to process-serving establishments; power to make	,, s.49(rep. [1]Bur.Act1,1910,s.4). [1]Bur.Act1,1910,s.3.
,, general power of Financial Commissioner to make	Reg.3,1889,s.50(rep.pt. [1]Bur.Act1,1910,s.4).
,, control over rule-making power; publication of rules in draft; penalties for breach of rules	Reg.3,1889,s.51.
Powers of Financial Commissioner exerciseable from time to time	,, s.52.
Bar to jurisdiction of Civil Courts	,, s.53.

XI.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT IN BENGAL.

1. Preliminary.

Definitions	Act18,1881,ss.4,4A,91,136.
Power to alter limits of, and create and abolish, districts and tahsils	,, s.14.

2. Revenue-officers.

Classes of; subordination of; appointment, powers, suspension and removal of	,, ss.5,6(am.in. C.P.Act13,1908,s.4), 7,8,10,11).
Retention of powers on transfer	,, s.12.
Temporary Deputy Commissioner to have powers of Deputy Commissioner under Act	,, s.13.
Authority to invest them with special powers	,, s.15.
Superintendence and control over	,, ss.16,17(am.in. C.P.Act13,1908,s.5).
Power of, to enter on land, etc.	Act18,1881,s.18.
,, to require attendance and production of documents	,, s. 18A.
Procedure of; appearance of legal practitioners before	,, ss.19to21.
Appeals from orders of: limitation of appeal	,, ss.22,23(am. in C.P.,Act13,1908,s.6.
Revision of proceedings of	Act18,1881,ss.24,25(am. in C.P.Act13,1908,s.5), 26.

3. Revenue-survey and Settlement.

(*a*) PRELIMINARY.

Notification of survey, and effect thereof	Act18,1881,s.27
Notification of settlement	,, s.28.
Appointment, suspension and removal of Settlement-officers	,, s.29.
Titles of Settlement-officers	Act16,1889,s.40.

[1] Bur. Act 1, 1910, will come into force when notified.

LAND-REVENUE—*contd.*

XI.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT IN BENGAL—*contd.*

3. Revenue-survey and Settlement—*contd.*

(*a*) PRELIMINARY—*contd.*

Powers of Settlement-officers; superintendence and control; appeals; revision	Act 18, 1881,	ss. 30, 31, 33 to 38.
Appointment and powers of Settlement Commissioner	,,	s. 32.
Duration of settlement-operations	,,	s. 39.
Power to enter on and survey land and demarcate boundaries	,,	s. 18.

(*b*) DEMARCATION.

Demarcation and disposal of unowned lands	,,	ss. 40 to 42, 133.
Power to form mahals	,,	s. 43.
,, exclude town or land from settlement-operations	,,	s. 44.
Erection of new, and repair of existing, boundary-marks	,,	s. 45.
Penalty for injuring boundary-mark; re-erection or repair of mark after injury	,,	ss. 134, 135.

(*c*) ASSESSMENT OF LAND-REVENUE.

Separate sum to be assessed on every mahal; power to reduce assessment; special assessment of forest mahal	,,	s. 46.
Instructions by Local Government to Settlement-officers as to principles of assessment, etc.	,,	s. 47.
Certain lands not to be assessed	,,	s. 48.
Assessment to whom to be offered	,,	s. 49.
Sub-settlement to be made with inferior proprietors; payment of certain profits to superior proprietor; revenue a first charge on land comprised in sub-settlement	,,	ss. 50, 51, 64, 65.
Sanction, revision and confirmation of settlement	,,	ss. 52, 53.
Option to accept or refuse assessment; acceptance to be in writing; when acceptance may be implied; effect of acceptance; power to rescind or repudiate assessment	,,	ss. 54 to 56.
Ascertainment and notification of amount payable, when assessment of forest mahal is in form of rates, etc.	,,	s. 56A.
Procedure when only some proprietors accept assessment	,,	s. 58.
Procedure on refusal of assessment, and rights of proprietors, refusing	,,	ss. 57 to 63.
Inquiry into claims of thikadars, gaontias or farmers	,,	s. 65A.
Apportionment of assessment over lands held in severalty; redistribution of land according to custom	,,	ss. 66, 67.
Assessment of raiyatwari villages; right of raiyat inheritable, but not transferable; partition	,,	ss. 67A to 67H.
Revenue payable by raiyats holding Government land not included in raiyatwari village	,,	s. 67I.

(*d*) INVESTIGATIONS BY SETTLEMENT-OFFICER, AND PREPARATION OF RECORD-OF-RIGHTS.

Settlement-officer to ascertain proprietors, to determine and record sir-land, to ascertain customs or rules as to management of mahal, to determine channel for payment of revenue, to record status of tenants, etc.	,,	ss. 68 to 72.

LAND-REVENUE—*contd.*

XI.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT IN BENGAL—*contd.*

3. Revenue-survey and Settlement—*contd.*

(*d*) INVESTIGATIONS BY SETTLEMENT-OFFICER, AND PREPARATION OF RECORD-OF-RIGHTS—*contd.*

Enquiry into claims to hold revenue-free, etc.	Act 18, 1881,	ss. 73 to 75.
Determination of village-cesses leviable	,,	s. 76.
,, disputes as to certain rights or customs	,,	s. 77 (rep. as to patwaris in C.P., Act 4, 1907).
Procedure of Settlement-officer in deciding disputes	,,	s. 78.
Preparation, custody and effect of records-of-rights	,,	ss. 79 to 82.
Power of Settlement-officer to require attendance and production of documents	,,	s. 18A.
Suits to contest settlement decisions or entries in record-of-rights; revision by Chief Commissioner	,,	ss. 83, 84.
Proceedings in respect of Government lands	,,	s. 85.

(*e*) MISCELLANEOUS.

Provisions as to settlements made before commencement of Act.	,,	ss. 86 to 89.
Authority to invest officers during currency of settlement with powers of Settlement-officer	,,	s. 133.

4. Revenue-administration.

(*a*) COLLECTION OF LAND-REVENUE.

Instalments, times, places, and manner at and in which payments to be made	,,	s. 90.
Arrears of land-revenue:		
Definition of "arrear" and "defaulter"	,,	s. 91.
Avoidance of attachments and executions which forestall land-revenue	,,	s. 91A.
Realisation of arrears payable direct to Government:		
Authenticated account to be conclusive evidence of arrear, except in certain cases	,,	ss. 92, 114.
Service of notice of demand	,,	ss. 93, 113.
Processes for recovery	,,	ss. 94 to 111, 113.
Costs recoverable as part of arrear	,,	s. 112.
Right of person denying liability to pay amount under protest and institute suit in Civil Court for recovery thereof	,,	s. 114.
Realisation of arrears not payable direct to Government	,,	ss. 115 to 118.
Interest on arrears	,,	s. 119.
Recovery, as arrears of land-revenue, of—		
village-officers' dues	,,	s. 149,
balances due by farmer	,,	s. 157.
other moneys payable to Government	,,	ss. 157A, 158.
fines and penalties under Central Provinces Tenancy Act, 1898	Act 11, 1898,	s. 98.

LAND-REVENUE—*contd.*

XI.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT IN BENGAL—*contd.*

4. Revenue-administration—*contd.*

(*b*) REVENUE AND VILLAGE RECORDS.

Correction and revision of record-of-rights	Act 18, 1881, ss. 120 to 122.
Enforcement by Government of rule, custom or condition entered in record-of-rights	,, ss. 124, 125.
Control and management of forest-land in accordance with record-of-rights	,, s. 124A.
Record of changes affecting record-of-rights	,, ss. 125 to 129.
Records to be open to inspection	,, s. 131.

(*c*) VILLAGE-OFFICERS, PATWARIS AND WATCHMEN.

Appointment, remuneration, powers, duties, suspension and removal of lambardars, sub-lambardars, mukkaddams and patels	,, ss. 137 to 143A (ss. 138, 141, 143A rep. as to patwaris in C.P., Act 4, 1907).
Remuneration of mukaddam by holders of sir-land in Sambalpur District	Act 18, 1881, s. 150.
Penalty on mukaddam failing to perform duty or abusing powers and on person disobeying order of mukaddam	,, ss. 161A, 161B.
Appointment, remuneration, duties and punishment of patwaris	,, ss. 144, 146.
Contribution by proprietors, etc., towards remuneration of patwaris and defraying of charges for supervision of patwaris, etc.	,, s. 146A (rep. in C.P., Act 4, 1907).
Patwaris' papers "public documents" within meaning of Evidence Act, 1872	,, s. 146.
,, ,, inspection, etc., of	,, s. 147.
Power to make rules as to appointment, etc., of village-watchmen	,, s. 147A.
Confirmation of existing officers	,, s. 148.
Recovery of officers' dues	,, s. 149.

(*d*) PARTITION OF MAHALS.

Definition of "perfect partition" and "imperfect partition"	,, s. 136.
Persons entitled to partition	,, ss. 136A, 136B.
Bar to jurisdiction of Civil Courts	,, s. 136C.
Imperfect partition:	
Application for	,, ss. 136D, 136E.
Power to reject application on preliminary enquiry	,, s. 136F.
Ascertainment and disposal of objections to partition; appeal	,, ss. 136E, 136G to 136I.
Option to parties to make partition themselves or appoint arbitrators	,, s. 136J.
Principles to be followed in making partition	,, s. 136K to 136P.
Power to stay proceedings	,, s. 136Q.
Sanction of Local Government required	,, s. 136R.
Notification of partition	,, s. 136S.
Perfect partition:	
Application for	,, s. 136T.
Power to effect	,, s. 136U.

LAND-REVENUE—*contd.*

XI.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT IN BENGAL—*concld.*

4. Revenue-administration—*contd.*

(*d*) PARTITION OF MAHALS—*contd.*

Power to make rules as to partitions	Act 18, 1881,	s.136V.
Partition may be effected by distribution of mahals	,,	s.136W.
Partition of survey numbers	,,	s.67E.

(*e*) MISCELLANEOUS.

Annual enquiry as to land held free from revenue; re-assessment of such land	,,	s.130.
Certain powers of Settlement-officers to be exercised by Deputy Commissioners when settlement not in progress	,,	s.132.

5. Miscellaneous.

Right of Government to mines, quarries and fisheries	,,	s.151.
Bar to jurisdiction of Civil Courts	,,	ss.152, 154.
Bar of suits for certain village-cesses	,,	s.153.
Restriction on Revenue and Settlement Officers and employés trading or holding land	,,	s.155.
When mahal officially managed or farmed, rents to be paid to Deputy Commissioner	,,	s.156.
Recovery of balances due under Act and miscellaneous revenues	,,	ss.157, 157A, 158.
Mode of conferring powers under Act; power to cancel order conferring powers	,,	ss.160, 161.
Power of Local Government to make rules	,,	s.162.

XII.—COORG.

1. Preliminary.

Definitions	Reg. 1, 1899,	s.3.

2. Revenue-authorities.

Classes of Revenue-officers	,,	s.4.
Chief Commissioner as Chief Controlling Revenue-authority	,,	s.5.
Commissioner; appointment and functions of	,,	s.6.
Assistant Commissioners; number, appointment, subordination and duties of	,,	s.7.
Taluqs, and subedars for administration thereof	,,	ss.8 to 10.
Conferment of powers on Revenue-officers	,,	ss.11, 12.
Subordination of Revenue-officers	,,	ss.5 to 7, 9, 19.
Parpattigars and village-officers; appointment, duties, emoluments and punishment of	,,	ss.24, 27.

3. Records-of-rights and Annual Records.

Ss. 29 to 41 not to apply to towns or villages; power to define limits of towns and villages	,,	s.28.
Record-of-rights required for every estate: preparation or revision of record; contents of record	,,	ss.29, 30.

LAND-REVENUE—*contd.*

XII.—COORG—*contd.*

3. Records-of-rights and Annual Records—*contd.*

Annual record required for every estate: preparation of record; contents of record; maintenance of registers	Reg.1,1899,	s.31.
Repeal of acquisition of rights under penalty; entry of acquisitions in register of mutations; inquiry into correctness of entries and into acquisitions; correction of annual record	,,	ss.32,33,37.
Determination of disputes as to entries to be made in records; power to put party into possession of property	,,	s.34.
Restrictions on variations of entries in records	,,	s.35.
Mutation-fees	,,	s.36.
Obligation to furnish information required for records	,,	s.38.
Presumption of correctness of records	,,	s.39.
Right to institute suit for declaratory decree, in respect of entry in any record	,,	s.40.
Power to make rules as to records and registers	,,	s.41.

4. Assessment of Land-revenue.

What land liable to assessment; power to decide which holder is primarily liable to pay	,,	s.48.
Sanction of Governor General in Council required to general re-assessment	,,	s.49.
General assessment by whom to be made; sanction of Chief Commissioner required to method of assessment	,,	s.50.
,, announcement of	,,	s.51.
,, application for re-consideration of	,,	s.52.
,, confirmation of	,,	s.53.
,, duration of	,,	ss.53,54.
Special assessments: when they may be made; application of ss. 50 to 54 to; power to make rules as to	,,	s.55.

5. Collection of Land-revenue.

Land-revenue; security for	,,	ss.56,77.
,, ,, to whom payable; time and instalments for payment	,,	s.57.
,, ,, power to make rules as to collection, remission and suspension of	,,	s.58(*1*).
,, ,, assigned: deduction of cost of collection by Revenue-officer	,,	s.58(*2*).
,, ,, ,, authority of Chief Commissioner required to institution of suit for arrear of	,,	s.58(*3*).
Arrear of land-revenue:		
Certified account to be conclusive proof of	,,	s.59.
Power to levy arrear immediately, with interest and costs; definition of "arrear" and "defaulter"	,,	s.60.
Processes for recovery of: notice of demand; summons; arrest and imprisonment; distraint and sale of movables; attachment and sale of immovable property	,,	ss.61to113, Sch.III.

LAND-REVENUE—*contd.*

XII.—COORG—*contd.*

5. Collection of Land-revenue—*contd.*

Deductions by tenant from rent due to defaulter—	
when tenant's crops distrained	Reg.1,1899,s.70.
when tenant pays arrear to release landlord's immovable property from attachment	,, s.94.
Enforcement of payment by sureties	,, s.114.
Receipts for payments	,, s.116.
Recovery, as arrears of land-revenue, of—	
cesses and mohatarfa, and sums payable to Government in respect of occupancy of land or use of its products, or supply of water to it for irrigation	,, s.3(*10*).
fees, fines, costs and other charges payable under Regulation 1, 1899	,, s.115.
moneys due to Government under any grant, lease or contract which provides that they shall be so recoverable	
portion of land-revenue which is represented by service renderable by assignee of land-revenue	,, s.138.
Rate imposed under the Coorg District Fund Regulation, 1900	Reg.6,1900,s.5.

6. Surveys and Boundaries.

Power to make rules as to demarcation of boundaries of, and survey-marks to be erected in, estates	Reg.1,1899,s.117.
Power to define boundaries of estates, villages, holdings, fields, etc., and to require survey-marks to be erected or repaired	,, s.118.
Cost of erecting and repairing survey-marks, by whom to be met	,, ss.119,120.
Power of Revenue-officers and other persons to enter upon and survey land, etc.	,, s.121.
Power of Revenue-officer to require indication of rights or interests by temporary marks, under penalty	,, s.122.
Provision of flag-holders and chainmen	,, s.123.
Professional surveys	,, s.124.
Destruction, injury or removal of survey-marks:	
penalty for	,, s.125.
village-officers to report	,, s.126.

7. Supplemental Provisions.

Appeals to whom to lie	,, ss.13,14(*2*),15(*d*).
,, limitation of	,, ss.14,16.
Revision by Revenue-officers; power of	,, ss.15,17.
,, ,, ,, ,, limitation for	,, ss.15(*b*),16.
Power of Chief Commissioner to make rules as to procedure	,, s.18.
Power of Revenue-officer to summon persons; duties of persons summoned	,, s.20.
Mode of service of summonses	,, s.21.
,, ,, notices; validation of irregularities	,, s.22.
Penalty for failure to attend when required by Revenue-officer	,, s.23.
Arbitration under Reg. 1, 1899	,, ss.127to135.
Execution, by Revenue-officers, of orders of Civil and Criminal Courts	,, s.136

LAND-REVENUE—*contd.*

XII.—COORG—*concld.*

7. Supplemental Provisions—*contd.*

Assignment of land-revenue:
Attachment of assigned land-revenue . . . . . Reg.1,1899,s.137.
Confiscation of assignment in default of service . . . . ,, s.138.
Recovery of cost of re-assessment . . . . . ,, s.139.
Papers kept by village-officers to be deemed public documents . ,, s.140.
Costs . . . . . ,, s.141.
Prohibition of Revenue-officers bidding at auction, trading or acquiring land . . . . . ,, s.142.
Power to make rules to carry out purposes of Reg. 1, 1899 . . ,, s.143.
Rules under Reg. 1, 1899; power to make, is subject to control of Governor General in Council, and to the condition of previous publication . . . . . ,, s.144.
Bar to suits in Civil Courts in respect of certain matters . . ,, s.145.

XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS).

1. Preliminary.

Mad. Regs. 1 and 2 of 1803, 8 of 1817, 7 of 1828 and 10 of 1831, and Acts 7 of 1839, 10 of 1849, and 7 of 1857, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . . Act15,1874,s.4.
Mad. Act 2, 1864 (Recovery of revenue), not to apply to City of Madras . . . . . Mad.Act2,1864, s.64.
Power of Local Government to alter limits of districts . . Mad.Act1,1865.

2. Revenue-authorities.

Board of Revenue:
General duties of . . . . . Mad.Reg.1,1803,s.4.
Powers of superintendence and control exerciseable by . . ,, s.5.
Responsibility of, for discharge by subordinate officers of their duties; power to punish such officers . . . . . ,, s.33.
Provisions as to holding of meetings of members . . . ,, ss.6,24.
,, ,, conduct of business by . . . . . ,, ss.16to22, 25to28.
Distribution of business between members of . . . . ,, s.23, Mad.Act1,1894.
Power to appoint a member of the Board, by commission, to perform duties of Board . . . . . Act10,1849.
Powers of President of . . . . . Mad.Reg.1,1803,ss.16,20, 24to28,30to32.
Official seal of . . . . . ,, s.8.
Duties of, as to records and correspondence . . . . . ,, ss.9to15.
,, ,, care of public moneys and records on death, resignation or removal of Collector . . ,, s.48.
Responsibility of, as to speedy completion of temporary settlement and submission of same to Local Government . . ,, ss.35,36.
General duties of, as to supervision of temporary settlements . ,, s.37.
Duty of, to see that revenue is duly realised . . . . . ,, s.38.
Not to make or confirm revenue-free grants, etc., without authority of Local Government . . . . . ,, s.42.
Members not to trade, etc. . . . . ,, s.40.

LAN D-REVENUE—*contd.*

XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Revenue-authorities—*contd.*

Board of Revenue—*contd.*

Orders of Local Government when required to deputation of officer by Board	Mad.Reg.1,1803,ss.49,50.
Duties of, as to supervision of expenditure	,, ss.52to54.
,, as to remission and suspension of revenue	,, ss.55,56.
,, as to sale of permanently-settled land for arrears of revenue	,, s.57.
Collectors: to be members of Indian Civil Service	Mad.Reg.2,1803,s.2.
,, to collect the revenue	Mad.Reg.2,1803,s.2.
,, to be under control of Board of Revenue	,, s.5.
,, to furnish papers and accounts to other officials on requisition	,, s.6.
,, proceedings of, to be conducted publicly	,, s.7.
,, general duties of, and general control exerciseable by, for administration of public revenues	,, ss.8,9.
,, diaries to be kept by	,, s.11.
,, how to keep public money	,, s.12.
,, to furnish Board of Revenue with statement of revenue permanently assessed, and of other items of revenue	,, s.13.
,, to give instructions, etc., to persons deputed to attach estates	,, s.15.
,, execution by, of decree of Court ordering sale of land paying revenue to Government	,, ss.20,21.
,, not to publish orders affecting intercourse with foreign States without express order of Local Government	,, s.65.
,, delivery of documents by Collector to successor; successor to count cash balance and give receipt	,, ss.68,69.
Collectors and Assistant Collectors not to trade, etc.	,, ss.60,61,63, 64.
Leave of absence to Collector or Assistant Collector	,, ss.66,67.
Delegation of powers of Collector to Assistant Collectors; his powers of control over their proceedings	Mad.Reg.7,1828,s.3.
Deputy Collector:	
Power to appoint	Act7,1857,s.1.
To have same powers and duties, and be subject to same control, as Assistant Collector	,, s.3.
Suspension and dismissal of	,, s.6.
Act 7, 1857, repealed as to Deputy Magistrates	Act12,1873.
Private servants not to be employed on public business, and *vice versâ*	Mad.Reg.2,1803,s.36.
Power to fine subordinates	,, s.37.

3. Settlement, and Assessment of Land-revenue.

(*a*) Settlement.

Permanent Settlement. *See* Permanent Settlement, 2.

Temporary settlements:

Responsibility of Board of Revenue as to speedy completion of settlements and submission of same to Local Government	Mad.Reg.1,1803,ss.35,36.

LAND-REVENUE—*contd.*

XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

3. Settlement and Assessment of Land-revenue—*contd.*

(*a*) SETTLEMENT—*contd.*

Temporary settlements—*contd.*

Not valid till confirmed by Local Government	Mad.Reg.1,1803,s.36.
General duties of Board of Revenue as to supervision of	,, s.37.

(*b*) ASSESSMENT OF LAND-REVENUE.

Principles to be followed in assessing lands not permanently settled	Mad.Reg.2,1803,ss.38to40.
Apportionment of assessment on transfer of land or sub-division of estate	,, ss.16to18.
Apportionment of assessment on sale of land	Mad.Act2,1864,ss.45,46.
Assessment of land-revenue payable on alienated portion of permanently-settled estate; appeal; re-adjustment of assessment	Mad.Act1,1876,ss.1to3,7,8.

(*c*) REVENUE-FREE LANDS.

Board of Revenue not to make or confirm revenue-free grants, etc., without authority of Local Government	Mad.Reg.1,1803,s.42.
Unauthorised alienation of land to be reported to Board; land not to be resumed without Board's authority	Mad.Reg.2,1803,s.41.
Board's authority required before Collector grants kauls or alienates land	,, ss.43,44.
Inam lands:	
Suit for, may be brought in Civil Court	Act23,1871,s.7(1). Mad.Act4,1862,s.1. Mad.Act4,1866,ss.1,3.
Proof of enfranchisement of	Mad.Act4,1862,s.2. Mad.Act4,1866,s.2.
Title-deeds of, not to affect rights, etc., of any person but the holder thereof; Mad. Acts 4, 1862, and 4, 1866, not to be deemed to confer on inam-holder any right to land which he would not otherwise possess	Mad.Act8,1869.

See also PERMANENT SETTLEMENT, 2.

4. Revenue-administration.

(*a*) COLLECTION OF LAND-REVENUE.

Land, buildings and products to be security for revenue	Mad.Act2,1864,s.2.
Instalments and dates for payment of revenue	,, s.3.
Duty of Board of Revenue to see that revenue is duly realised	Mad.Reg.1,1803,s.38.
Collector to see that revenue is paid regularly	Mad.Reg.2,1803,s.14.
Collection of revenue of lands held khas	,, s.26.
,, assessments for payment of police	,, s.31.
Duties of Board of Revenue as to remission and suspension of revenue	Mad.Reg.1,1803,ss.55,56.
Receipts to be given for revenue	Mad.Reg.2,1803,ss.33to35. Mad.Act2,1864,s.56.
Power, where land-revenue is payable in kind, to prevent removal of crop until division made	,, s.51.

LAND-REVENUE—*contd.*

XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS) *contd.*

4. Revenue-administration—*contd.*

(*a*) COLLECTION OF LAND-REVENUE—*contd.*

Arrears of land-revenue :

Duties of Board of Revenue as to sale of permanently-settled land for arrears	Mad.Reg.1,1803,s.57.
To be recovered by Collector	Mad.Reg.2,1803.s.14.
Collector to give instructions, etc., to persons deputed to attach estates for arrears	,, s.15.
Conditions of sale to specify obligations not included in general conditions	,, s.19.
Recovery of arrears due in respect of estate of minor or other proprietor disqualified to manage his affairs	[1]Mad.Reg.5,1804,s.14(*4*). Mad.Reg.10,1831,s.2(*1*).
Recovery of arrears due in respect of estates held by native officers or soldiers	Mad.Reg.8,1817,s.9, App.,Form5.
Mad. Regs. 1 and 2, 1803, not to apply in case of arrears recoverable under Mad. Act 2, 1864	Mad.Act2,1864,s.62.
"Arrear" defined	,, s.4.
Processes for recovery of	,, ss.5,6.
Interest on	,, ss.7,54.
Notice of demand to be issued	,, ss.8,25.
Seizure and sale of moveable property ; distraint	,, ss.8to24.
Attachment and sale of land or buildings ; management of attached property ; rules as to sales	,, ss.25to45,47 (s.37am.,s.37Ains.ands.38am.,Mad.Act1,1909,ss.2,3,4).
Apportionment of assessment where only part of an estate sold	,, ss.45,46.
Arrest and imprisonment of defaulter or his surety	,, ss.48,49.
Enforcement of processes against sureties	,, ss.49,50.
Batta to be paid to process-servers	,, ss.53,54.
Owner of property put up for sale to bear expenses when sale countermanded	,, s.55.
Recovery of, outside the district in which default made	,, s.57.
Mad. Regs. 5, 1804, and 10, 1831, not affected by Mad. Act 2, 1864	,, s.63.
Permanently-settled estate not liable for arrears of assessment made on alienated portion, and *vice versâ*	Mad.Act1,1876,s.4.
Proceedings may be taken against person registered as proprietor of estate under Mad. Act 3, 1896 (Malabar and South Wynaad)	Mad.Act3,1896,s.13.
Recovery of arrears from occupants registered jointly with proprietors under Mad. Act 3, 1896	,, s.15.
Powers of Tahsildars for sale of property distrained for arrears of revenue ; their fees to be credited to Government ; delegation of such powers	Act7,1839,ss.2,3,5,6.
See also PERMANENT SETTLEMENT, 2.	
Certain sums declared to be recoverable as	Mad.Act2,1864,ss.1,52,54,55. Mad.Act3,1896,s.17.

[1] Mad. Reg. 5, 1804, is repealed except in scheduled districts by Mad. Act I, 1902.

LAND-REVENUE—*contd.*

XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*concld.*

4. Revenue-administration—*concld.*

(*b*) MISCELLANEOUS.

Bar to jurisdiction of Civil Courts in questions as to rate of land-revenue or amount of assessment fixed on partition; jurisdiction not affected in other cases, but six months' limitation imposed	Mad.Act2,1864,ss.58,59.
Suits against Collector in respect of acts of his predecessor; limitation	,, s.60.
Power of Revenue-officers to summon witnesses and require production of documents; procedure	Mad.Act3,1869.
Investiture of officers enquiring into matters connected with revenue-administration with power to summon witnesses and require production of documents, etc.; their procedure	Mad.Act5,1893.

XIV.—CITY OF MADRAS.

What included in "revenue"	Mad.Act6,1867,s.1.
All unassessed lands to be assessed; appeal to Board of Revenue	Act12,1851,ss.1,3.
What lakhiraj tenures to be valid	,, s.2.
Enquiry into claims to hold land free of assessment; assessment of land when claim not substantiated	,, s.12.
Power to order measurement of assessable lands; abatement or increase of revenue or rent when actual area found not to correspond with area charged for; appeal to Board of Revenue	,, ss.4to6.
Collection of land-revenue:	
Priority of Government claim for revenue	,, s.9.
Land and buildings to be security for revenue	Mad.Act6,1867,s.3.
Limitation of claims to arrears	Act12,1851,s.11.
Interest on arrears of revenue	Mad.Act6,1867,ss.5,29.
Distress and sale of moveable property for recovery of arrears of revenue	Act12,1851, s.10. Mad.Act6,1867,ss.4,6to 13,30.
Sale of land and buildings where arrears cannot be recovered by distress and sale of moveable property	Mad.Act6,1867,ss.4,14to 16,18to27,30.
Recovery by tenant, mortgagee, etc., of sums paid for person liable	Act12,1851,s.8. Mad.Act6,1867,s.17.
Allowances to process-servers	Mad.Act6,1867,ss.28,29.
Certain sums recoverable as arrears of revenue	,, ss.29,30.
Limitation of suits to contest proceedings under Act	,, s.31.
When Collector has left, suits to contest proceedings under Act may be brought against his successor	,, s.32.
Exclusion of jurisdiction of High Court in questions relating to ground-rent	Act12,1851,s.16.
Suits under Act to be tried by Civil Courts in Chingleput District	,, s.17.
Penalty for obstructing Collector or subordinates	,, s.13.
Power of Collector to punish contempts	,, s.14.
Control over Collector	,, s.15.
Mad. Act 6, 1867, to be taken as part of Act 12, 1851	Mad.Act6,1867,s.33.

LAND-REVENUE—*contd.*

XV.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB.

1. Preliminary.

Definitions	Act17,1887,s.3.
Definition of "legal practitioner" amended in N.-W. Fr.	Reg.7,1901,s.3,Sch.1.
Exemption from Act of land occupied as site of town or village and not assessed to land-revenue	Act17,1887,s.4.
Power to vary limits and alter number of tahsils, districts and divisions	,, s.5.

2. Revenue-officers.

Classes of; appointment, general powers and removal of. (*See also* FINANCIAL COMMISSIONER)	Act17,1887,ss.6to10(ss.6,8, am.and7rep.inN.W.-Fr., Reg.7,1901,s.3,Sch.1).
Revenue Commissioner for N.-W.-Fr., appointment, etc., of	Reg.7,1901,s.2(*2*).
,, ,, in N.-W. Fr. to discharge functions of Financial Commissioner or Commissioner	,, s.6(*2*).
Superintendence and control over	Act17,1887,ss.11,12(ss.11, 13to16am.in.N.-W.Fr., Reg.7,1901,s.3,Sch.1).
Appeals from orders of; limitation of appeal	,, ss.13,14,15)(*3*) (ss.11,13to16am.inN.-W. Fr.,Reg.7,1901,s.3,Sch. 1).
Revision of proceedings of	,, ss.15,16(ss.11, 13to16am.inN.-W. Fr., Reg.7,1901,s.3,Sch.1).
Procedure of; appearance of legal practitioners before issue of summons by; service of summons, notice or order of; mode of making proclamation; penalty	,, ss.17to22,149.
Place of sitting of; holidays	,, ss.23,24.
Temporary Collector to have powers of Collector under Act	,, s.25.
Retention of powers on transfer	,, s.26.
Authority to confer powers of, on other persons	,, s.27.
Investment of, with powers of Civil Court; exclusion of jurisdiction of Civil Courts	,, ss.136,137,158.
Execution by, of processes issued by Civil or Criminal Courts for attachment, etc., of land or produce	,, s.141.
Order of Civil Court for attachment of assigned land-revenue to require payment to Collector	,, s.142.

3. Assessment of Land-revenue.

Liability of land to	,, s.48.
Assessment may be in cash or in kind	
General assessment: procedure for making; confirmation and duration of	,, ss.49to54.
,, ,, refusal to be liable for assessment; transfer of estate to Collector; allowance to landowner	,, s.55.
,, ,, distribution of assessment of estate over holdings comprised therein	,, ss.56,57.

LAND-REVENUE—*contd.*

XV.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB—*contd.*

3. Assessment of Land-revenue—*contd.*

General assessment: determination of land-revenue payable by tenant . . . . . Act16,1887,s.27.

" " appeals . . . . . Act17,1887,s.58.

Special assessment: when it may be made; procedure; allowance to landowner refusing offer of waste-land . . . . " ss.59,60.

Settlement in Hazara District. *See* FRONTIER, E, 6.

4. Revenue-administration.

(*a*) COLLECTION OF LAND-REVENUE.

Security for payment of revenue . . . . . " ss.61,62.

" " " " not affected by partition, except with consent of Financial Commissioner . . . " s.110.

Distribution of revenue after partition . . . . . " s.120.

Instalments, times, places and manner at and in which payments to be made . . . . . " s.63.

Power to make rules as to collection, remission and suspension of revenue . . . . . " s.64.

Collection of revenue on frontier . . . . . Reg.7,1874.

Arrear of land-revenue:

Certified account to be conclusive evidence of arrear, except in certain cases . . . . . Act17,1887,ss.66,78.

Processes for recovery of:

Writ of demand . . . . . " s.68.

Arrest and detention of defaulter . . . . . " s.69.

Distress and sale of moveable property and crops . . " s.70.

Transfer of holding to another . . . . . " s.71.

Attachment and official management of estate or holding . " ss.72,74.

Annulment of assessment, farming or official management of land, revision of assessment, and temporary suspension of contracts . . . . . " ss.73,74.

Sale of estate or building free of encumbrances . . . " ss.75,76.

Proceedings against immoveable property of defaulter other than the estate or holding in respect of which arrear is due . . . . . " s.77.

Procedure with reference to sale of immoveable property . " ss.79to96(ss. 79(2),87rep.P.Act2,1905, Reg.2,1906,s.3).

Collector's permission required to institution of suit for arrear of assigned revenue . . . . . " s.64(3).

Costs of process recoverable as part of arrear . . . " s.65.

Right of person denying liability for an arrear to pay amount under protest and institute suit in Civil Court for recovery thereof . . . . . " s.78.

Recovery by Revenue-officer of arrear which should have been paid to village-officer . . . . . " s.97.

LAND-REVENUE—*contd.*

XV.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB—*contd.*

4. Revenue-administration—*contd.*

(*a*) COLLECTION OF LAND-REVENUE—*contd.*

Arrear of land-revenue—*contd.*

Sums recoverable as arrears of land-revenue . . . . . Act17,1887,ss.97,98,103.(3),106(2),147(3).

Application of Ch. IV (ss. 61 to 96) of Act to recovery of sums declared to be recoverable as arrears of land-revenue . . ,, s.99.

(*b*) RECORDS.

Making and revising of record-of-rights and patwaris' annual record . . . . . ,, ss.31to40,47.

Rights of Government to mines, minerals, forests, etc.; presumptions as to ownership; compensation for infringement of rights of third parties in exercise of Government right . . . ,, ss.41to43.

Presumption as to correctness of record; suit for declaration of right . . . . . ,, ss.44,45.

Power to make rules as to . . . . . ,, s.46.

Village papers deemed "public documents" . . . . . ,, s.151.

Nullity of certain entries in record-of-rights affecting tenants, and saving of certain other such entries . . . . . Act16,1887,ss.109,111,112.

(*c*) VILLAGE OFFICERS, ETC.

Appointment, duties, emoluments and punishment of kanungos, zaildars, inamdars and village-officers; power to direct levy of contribution towards payment of zaildars and inamdars . Act17,1887,s.28.

Imposition, collection, etc., of cess for remunerating village-officers and for defraying certain expenditure connected with them . ,, s.29(am. Act4,1907).

Restrictions on attachment or assignment of remuneration of kanungo, zaildar, inamdar or village-officer . . . . . ,, s.30.

(*d*) SURVEYS AND BOUNDARIES.

Power to make rules as to demarcation of boundaries of estates and erection of survey-marks . . . . . ,, s.100.

Powers and procedure for demarcation of boundaries of estate or part thereof, making of survey, and erection and repair of boundary-marks and survey-marks, by Revenue-officer . . ,, ss.101to106.

Power of Local Government to direct professional survey of land . ,, s.107.

Destruction, etc., of survey-mark: penalty; report to Revenue-officer . . . . . ,, ss.108,109.

Arbitration in case of disputes . . . . . ,, ss.127to135.

See also ALLUVION AND DILUVION.

(*e*) PARTITION.

Partition by Revenue-officer:

Restrictions and limitations on . . . . . ,, s.112.

Application for . . . . . ,, ss.111, 113,114.

Power to reject application on preliminary enquiry . . ,, s.115.

LAND-REVENUE—*contd.*

XV.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB—*contd.*

4. Revenue-administration—*contd.*

(*e*) PARTITION—*contd.*

Partition by Revenue-officer—*contd.*		
Ascertainment and disposal of questions in dispute between persons interested; appeal	Act 17, 1887,	ss. 116 to 118.
Administration of property excluded from partition	,,	s. 119.
Distribution of revenue and rent after	,,	s. 120.
Instrument of partition to be prepared	,,	s. 121.
Delivery of possession of property allotted	,,	s. 122.
Affirmation by Revenue-officer of partition privately effected	,,	s. 123.
Power to make rules as to costs	,,	s. 124.
Power of Revenue-officer, on application, to re-distribute land in accordance with established custom	,,	s. 125.
What Revenue-officers empowered to take proceedings	,,	s. 126.
Arbitration in case of disputes	,,	ss. 127 to 135.
Exclusion of jurisdiction of Civil Courts	,,	s. 158(xvii), (xviii).
Effect of partition under any law on joint liability for revenue or rent	,,	s. 110.

(*f*) MISCELLANEOUS.

Deposit with Revenue-officer of sums, other than rent, payable to landowner or assignee of land-revenue on account of liability under Act; procedure and indemnification of Revenue-officer	,,	ss. 138 to 140.
Preservation of attached produce	,,	s. 143.
Division or appraisement of produce	,,	s. 144.
Preparation of list of village-cesses; bar to recovery of cesses not included in list; power to impose conditions as to establishments; power to declare what are village-cesses	,,	s. 145.
Power to commute superior landowner's dues into a fixed percentage of the land-revenue payable by inferior landowner	,,	s. 146.
Substitution of service for payment of land-revenue	,,	s. 147.
Recovery of cost of re-assessing land the land-revenue of which has been assigned	,,	s. 148.
Power of Revenue-officer to eject co-sharer encroaching on common land	,,	s. 150.
Restriction on Revenue-officers and employés bidding at auction or trading	,,	s. 154.

5. Miscellaneous.

Arbitration in case of disputes	,,	ss. 127 to 135.
Costs	,,	s. 152.
Application of Indian Limitation Act, 1877[1], for computation of time	,,	s. 153.
General power of Financial Commissioner to make rules	,,	s. 155.
Control of Governor General in Council over making of rules; publication of rules in draft	,,	s. 156.
Powers of Financial Commissioner exerciseable from time to time	,,	s. 157.

[1] Rep. *See* Act 9, 1908.

LAND-REVENUE—*contd.*

XV.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB—*concld.*

5. Miscellaneous - *contd.*

Temporary provisions regarding certain revenue-settlement and record-of-rights proceedings in N.-W. Fr.	Reg.7,1901,s.93.
Khan of Teri; provision for levy, recovery, etc., of certain dues by	Reg.4,1902.

XVI.—UNITED PROVINCES.

1. Preliminary.

U. P. Act 3, 1901, extends to whole of United Provinces except certain territories, and may be extended to such territories by notification	U.P.Act3,1901,s.1,Sch.1.
Ben. Reg. 9, 1833, declared in force throughout the N.-W. Provinces, except as regards the Scheduled Districts	Act15,1874,s.7.
Definitions	U.P.Act3,1901,ss.4,106.
Power to create, alter and abolish divisions, districts, tahsils and sub-divisions; tahsils to be deemed sub-divisions	,, s.11.

2. Revenue-authorities.

Board of Revenue to be Chief Controlling Revenue-authority; its general powers; appointment and removal of members	,, ss.5,6.
Power of Board of Revenue to distribute business amongst its members; exercise of powers of Board by single member; no judicial order to be reversed except by two members	,, ss.7,8,220(3).
Reference to Local Government where Board of Revenue equally divided on non-judicial question	,, s.9.
Power to authorise member to exercise functions of Board	,, s.10.
Appointment, etc., of Commissioners, Additional Commissioners, Collectors and Assistant Collectors	,, ss.12to16.
Assistant Collectors placed in charge of sub-divisons; powers of	,, ss.18,227.
Chief Executive officer of district to act for Collector in case of temporary vacancy	,, s.20.
Deputy Collectors:	
Appointment of	Ben.Reg.9,1833,ss.16,17.
Natives eligible for office	,, s.17.
Remuneration of	,, s.18.
Subordination of; duties of; record of proceedings of	,, ss.20to24.
Suspension and removal of	,, s.25.
Tahsildars and naib Tahsildars, appointment, etc., of	U.P.Act3,1901,ss.17,234 (a).
Subordination of	U. P.Act3,1901,ss.15(2),19.
Powers of, generally	,, ss.225to229.
Conferment of powers on	,, ss.221,223, 224.
Transfer of cases to, and withdrawal of cases from, subordinates	,, ss.191,192.
Assistant Collector to have powers of Collector under Act	,, s.225.
Retention of powers on transfer	,, s.222.

See also PATWARIS AND KANUNGOS, III.

LAND-REVENUE—*contd.*

XVI.—UNITED PROVINCES—*contd.*

3. Settlement.

Permanent Settlement, Benares. *See* PERMANENT SETTLEMENT, 3.

Liability of land to payment of revenue . . . . . U.P.Act3,1901,s.58.

Notification of settlement . . . . . „ s.59.

Duration of settlement-operations; transfer of pending proceedings to Collector . . . . . „ ss.59,105.

Appointment of Settlement-officers; transfer of certain duties of Collector to . . . . . „ ss.60,61.

Rules to be issued as to assessment . . . . . „ s.62.

Powers of Record-officer—

as to erection of boundary-marks . . . . . „ s.50.

General powers of Settlement-officers and others . . . . „ ss.60,230to 232.

Settlement with whom to be made . . . . . „ s.65.

Framing and reporting of general proposals of assessment; declaration of amount of assessment. . . . . „ ss.63,64,234 (*g*).

Agreement to proposed assessment; distribution of assessment . „ ss.66,234(*h*).

Enforcement of customs as to redistribution of land or re-adjustment of revenue . . . . . „ s.67.

Exclusion of person not accepting assessment; farming or direct management of mahal by Collector . . . . . „ ss.68,69,71to 73.

Allowance to excluded proprietor . . . . . „ ss.68,70,72, 74.

Fixing of rent payable by proprietor or under-proprietor as ex-proprietary-tenant in mahal taken under direct management, etc. . . . . „ ss.186,187.

Power to determine which of several parties having separate interest shall be admitted to settlement, and to prescribe distribution of profits among them . . . . . „ (Agra),s.75.

Sub-settlements . . . . . „ (Agra),ss.76 to78.

Power to make arrangements for benefit of persons possessing rights which do not entitle them to settlement . „ (Agra),s.78.

„ make separate settlement of waste-land . . . „ (Agra),ss.80, 83.

„ declare certain waste-land to belong to Government; ascertainment and disposal of claims thereto . . „ (Agra),ss.80 to82.

Record-of-rights:

Power to order revision of records, etc.; effect of order; appointment of Record-officers . . . . . „ ss.48,49.

What to contain; periodical amendment of registers; report of succession or transfer of interest in mahals; disabilities and penalty for failure to report; fee for mutation . . . „ss.32to39,55, 56,84,85,234(*d*),(*e*),(*i*).

Entries to be made, and disputes settled, on basis of possession; power in case of doubt to put in possession person having best apparent title; saving of right of suit . . . „ s.40.

Form of; attestation of . . . . . „ ss.53,54,234 (*d*).

LAND-REVENUE—*contd.*

XVI.—UNITED PROVINCES—*contd.*

3. Settlement—*contd.*

Record-of-rights—*contd.*

Presumption as to correction of entries in . . . . U.P.Act.3,1901,ss.44,57,84 (*4*).

Continuance of record until new record is made . . . ,, s.32.

Cesses to be recorded; preparation of list of cesses; bar to recovery of cesses not included in list; power to impose conditions as to establishments; power to declare what are "cesses;" limitation to application to Oudh . . . ,, ss.56,86.

Determination of disputes—

arising under s. 39 . . . . . ,, s.39(*3*).

as to class or tenure of tenant . . . . . ,, s.42.

Dispute as to rent payable; procedure on . . . . ,, s.43.

Determination of rent of ex-proprietary-tenant or of occupancy-tenant by enhancement, abatement, etc.; commutation of rents payable in kind . . . . . ,, ss.36,87to91, 104.

Length of occupancy, and grant of land made by proprietor, not to release land from liability for Government revenue . . ,, s.58.

Record and enquiry as to revenue-free tenures; re-assessment . . ,, ss.92,93,234 (*k*).

Confirmation, revision and duration of settlement . . . ,, s.94.

Revision of short-term settlements by Collector . . . ,, ss.96,102, 234(*l*).

Authority to invest officers with powers of Settlement-officer during currency of settlement . . . . . ,, s.97.

Annual enquiry as to revenue-free grants; assessment . . ,, s.98.

Alteration of assessment on alluvion or diluvion . . . ,, ss.99,102.

Continuance of conditions of tenure of land after expiry of settlement until new settlement made . . . . . ,, s.95.

Determination of proportion of revenue of part of mahal transferred during currency of settlement . . . . . ,, s.103.

Amendment of settlement for non-payment of arrears of revenue . . . . . ,, ss.153to159, 234(*s*).

4. Revenue-administration.

(*a*) Collection of Land-revenue.

Provisions relating to recovery of arrears to apply to all arrears due at commencement of Act . . . . . ,, s.188.

Security for land-revenue . . . . . ,, s.141.

Joint and several liability of all co-proprietors for . . . ,, ss.142,158.

Instalments, places and times at and in which, and persons to whom, payments to be made . . . . . ,, ss.143,234(*o*).

Payment to be made through lambardar . . . . . ,, ss.144,234(*p*).

Arrear of land-revenue:

Definition of "arrear" and "defaulter" . . . . . ,, s.143.
No interest to be demanded on . . . . . .

Certified account to be conclusive evidence of arrear, except in certain cases . . . . . ,, s.145.

Issue of writ of demand . . . . . ,, s.147.

LAND-REVENUE—*contd.*

XVI.—UNITED PROVINCES—*contd.*

4. Revenue-administration—*contd.*

(*a*) COLLECTION OF LAND-REVENUE—*contd.*

Arrear of land-revenue—*contd.*

Processes for recovery ; arrest and detention ; transfer of defaulter's share to solvent co-sharer ; annulment of settlement ; attachment and sale of property ; rules as to sales	U.P.Act3,1901,ss.146, 148to182, 234(*q*)to(*s*).
Exemption from annulment or sale in certain cases	„ ss.153,160.
Payment under protest, and suit for recovery of sum paid	„ s.183.
Fixing of rent payable by proprietor or under-proprietor as ex-proprietary-tenant of land in mahal attached, etc.	„ ss.186,187.
Right of assignee or taluqdar, etc., to sue for	U.P.Act2,1901,ss.161,162.
Right of lambardar or co-sharer paying revenue on account of others	„ ss,159,160. U.P.Act3,1901,ss.184,234 (*t*).
Recovery, as arrears of land-revenue, of—	
costs, fees, fines, etc., payable under Act	„ ss.208,234(*v*), 232.
Rent of under-proprietors in Oudh when recoverable as arrears of revenue	„ ss.185,234(*u*).

(*b*) RECORDS.

Maintenance of maps, field-books, record-of-rights and registers	„ ss.28,31to33, 234(*d*).
Records to be open to inspection	„ s.47.
Record-of-rights. *See also above*, 3.	

(*c*) SURVEY AND BOUNDARIES.

Power of Collector, etc., to survey land and demarcate boundaries	„ s.190.
Erection, maintenance and repair of boundary-marks	„ ss.29,30,50.
Settlement of disputes concerning boundaries	„ ss.41,51.

(*d*) PARTITION AND UNION OF MAHALS.

Definition of "partition," "perfect partition" and "imperfect partition"; procedure generally applicable to all partitions	U.P.Act3,1901,s.106.
Application for partition ; persons entitled to make application	„ s.107.
District in which partition to be made where mahal situated in several districts	„ s.108.
Power to disallow partition or quash partition proceedings	„ s.109.
Procedure on application : notice to recorded co-sharers who have not joined ; disposal of objections to partition ; procedure where objection raises question of title	„ ss.110to112.
Decision of Collector on question of title to be deemed to be decree of Civil Court ; appeals	„ s.112.
Partition to be made by Collector or Assistant Collector : power to allow parties or their arbitrators to make ; award of arbitrators	„ s.113.
Partition proceedings before Collector or Assistant Collector ; powers of Collector ; costs of partition	„ ss.114to116, 234(*m*).

LAND-REVENUE—*contd.*

XVI.—UNITED PROVINCES—*contd.*

4. Revenue-administration—*contd.*

(*d*) PARTITION AND UNION OF MAHALS—*contd.*

Principles to be followed by Collector in making partition : allotment to one co-sharer of land with building, garden, etc., belonging to another : exchange of land held as *sir* or in severalty ; provision for user of tanks, wells, etc., left joint	U.P.Act3,1901,	ss.117to 122,126,127.
Places of worship and burial-grounds not to be divided except by agreement	,,	s.121.
Perfect partition :		
not allowed where it involves formation of a mahal of less area than one hundred acres or less revenue than one hundred rupees	,,	s.109(2)
incompactness of portions, when a ground for disallowing	,,	s.124.
special provisions as to transfer of land held as *sir* or in severalty in making	,,	s.125.
Imperfect partition :		
special provision in, as to transfer of land held as *sir* or in severalty	,,	s.123.
may be made where perfect partition disallowed	,,	s.129.
Partition of two or more mahals belonging to same proprietors	,,	s.134.
Confirmation of partition : date from which partition takes effect	,,	s.131.
Distribution of revenue on partition	,,	s.130.
Power to divide mahal consisting of several villages into several mahals and distribute revenue	,,	ss.135,234(*n*).
Power to redistribute revenue and order refund by under-assessed to over-assessed proprietor in case of fraud or error affecting original distribution	,,	ss.136,137.
Appeals : partition not to be stayed by reason of appeal	,,	ss.132,133.
Partition of talukdari, under-proprietary mahals, etc.	,,	s.138.
Union of mahals forming portions of same village	,,	s.139
Application of ss. 106, *et. seq.*, to partition and union of revenue-free mahals	,,	s.140.

(*e*) MISCELLANEOUS.

Appointment of lambardar ; power to attach mahal and hold it under direct management until appointment of lambardar	,,	ss.45,234(*f*).
Obligation to furnish the information for preparation of record	,,	s.46
Power to put one party in possession when dispute arises on enquiry as to transfer of property	,,	s.40.

5. Miscellaneous.

Place for holding Court of Revenue-officer ; power to call for evidence ; procedure of Court ; power to give costs	,,	ss.189,193, 194,199to202,208,234(*v*).
Summonses, proclamations and notices : form, service or issue of ; notice or proclamation not void for error unless substantial injustice caused thereby	,,	ss.195to198.
Execution of orders made by Revenue-officer for delivery of possession of immoveable property	,,	s.209.

LAND-REVENUE—*concld.*

XVI.—UNITED PROVINCES—*concld.*

5. Miscellaneous—*contd.*

Bar to jurisdiction of Civil Courts	U.P.Act3,1901,ss.207,233.
Reference to arbitration	„ ss.203to207.
Appeals from orders of officers under Act; reference and revision	„ ss.210to220.
Judicial order not to be altered or reversed by Board without concurrent judgment of two members; exception	„ ss.8,10.
Power to transfer cases	„ ss.191,192.
Power of Board of Revenue to make rules	„ s.234.
Right of Government to recover arrears, etc., not affected by U. P. Act 2, 1903, s. 16	U.P.Act2,1903.s.16(3).

6. Special and Local Laws.

See BENARES, 1.

LANSDOWNE BRIDGE ACT, 1892. (*See* TOLLS, I)	Act8,1892.
LASCARS ACT, 1823.[1] (*See* MERCHANT SHIPPING)	4G.4,c.80.
LATRINES.	
Regulation of. *See cross-references from* DRAINS, LATRINES, ETC.	
LAW.	
Definitions of. *See* WORDS AND PHRASES.	
Ascertainment in one part of Her Majesty's Dominions of law in another part	22-3V.c.63.
Power, by Order in Council, to extend 22-3 Vict. c. 63 to places to which Foreign Jurisdiction Act, 1890, applies	53-4V.c.37,s.5,Sch.I.
Ascertainment of foreign law. *See* FOREIGN LAW.	
LAW REPORTS (INDIAN), 1875	Act18,1875.
LAW REPORTS.	
Authorisation of reports published under authority of Governor General in Council	Act18,1875,ss.3,4.
LAWS ACT (BANKI), 1881. (*See* BANKI)	Act25,1881.
„ „ (BURMA), 1898. (*See* BURMA)	Act13,1898.
„ „ (CENTRAL PROVINCES), 1875. (*See* CENTRAL PROVINCES)	Act20,1875.
„ „ „ „ 1879. (*See* CENTRAL PROVINCES)	Act2,1879.
„ „ (LITTLE COCOS AND PREPARIS ISLANDS), 1883. (*See* LITTLE COCOS)	Act8,1883.
„ „ (OUDH), 1876. (*See* OUDH)	Act18,1876.
„ „ (PANCH MAHALS), 1885. (*See* PANCH MAHALS)	Act7,1885.
„ „ (PEINT), 1894. (*See* PEINT)	Bom.Act2,1894.
„ „ (PUNJAB), 1872. (*See* PUNJAB)	Act4,1872.
„ „ (RAIPUR AND KHATTRA), 1879. (*See* RAIPUR)	Act19,1879.
„ AMENDMENT ACT (PUNJAB), 1875. (*See* PUNJAB)	Act15,1875.
„ „ „ „ 1881. (*See* PUNJAB)	Act24,1881.
„ REGULATION (ADEN), 1891. (*See* ADEN)	Reg.2,1891.
„ „ (AJMERE), 1877. (*See* AJMERE)	Reg.3,1877.

[1] This short title was given by 59 & 60 Vict. c. 14.

LAWS REGULATION (ARAKAN HILL DISTRICT), 1874. (*See* ARAKAN HILLS) . . . . . Reg.9,1874.
" " (BRITISH BALUCHISTAN), 1890. (*See* BRITISH BALUCHISTAN) . . . Reg.1,1890.
" " (SANTHAL PARGANAS), 1886 . . Reg.3,1886.
" AMENDMENT REGULATION (ARAKAN HILL DISTRICT), 1893 . . . . . Reg.8,1893.
LAWS LOCAL EXTENT ACT, 1874. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES, I ; ADEN ; ADMINISTRATION OF ESTATES (IND. LAW) ; AJMERE ; ALIEN ; ALLUVION AND DILUVION ; ANDAMAN AND NICOBAR ISLANDS ; ANGUL DISTRICT ; APPRENTICE ; ARAKAN HILLS ; ASSAM ; ASSIGNMENT ; BILL OF LADING ; CARRIER ; CASTE ; CENTRAL PROVINCES ; CHITTAGONG HILL TRACTS ; CHOTA NAGPUR ; CIVIL COURTS, III, VI ; COASTING TRADE ; CONVEYANCING AND LAW OF PROPERTY ; COORG ; COPYRIGHT ; COURT ; COURT OF WARDS, E ; COURT-FEES ; CRIMINAL LAW (IND.) ; CRIMINAL PROCEDURE (IND.) ; CUSTOMS (INLAND) ; DEBT ; DESERTION ; DISTURBED DISTRICT ; DOWER ; DRAINAGE, V ; EMBANKMENT, I ; ENDOWMENT ; ESCHEAT ; EXCISE ; FOREIGNER ; FORFEITURE ; GANJAM AND VIZAGAPATAM DISTRICTS ; GAZETTE ; GODAVERI DISTRICT ; GOVERNMENT OF INDIA ; HINDU WIDOW ; INDIAN MILITARY AND NAVAL FORCES ; INDIGO ; INTEREST ; IRRIGATION, VI ; JALPAIGURI AND DARJEELING DISTRICTS ; LACCADIVE ISLANDS ; LAND (IND. LAW) ; LANDHOLDER ; LANDLORD AND TENANT ; LAND REVENUE ; LEASE 2 ; LEGAL PRACTITIONER ; LUNATIC ; MANPUR PARGANA ; MARCHING TROOPS ; MARRIAGE, II ; MATRIMONIAL CAUSES ; MEHWASSI CHIEFS ; MERCHANT SHIPPING ; MORTGAGE ; OPIUM ; PANCH MAHALS ; PARTITION AND UNION OF IMMOVEABLE PROPERTY ; PATWARIS AND KANUNGOS ; PERMANENT SETTLEMENT ; POLICE ; POWER ; PRINTING PRESS AND PUBLICATION ; PUBLIC OFFICER ; PUNJAB ; REGISTRATION OF LAND ; SANTHAL PARGANAS ; SCHEDULED DISTRICTS ; SEAL ; SINDH ; SLAVERY ; SOCIETY ; SPITI ; STATE PRISONER ; STATE OFFENCES ; SUCCESSION ; TAXES ; TORT ; TRANSFER OF PROPERTY ; TRAVELLER ; TRUST ; UNITED PROVINCES OF AGRA AND OUDH ; VILLAGE ; VILLAGE COURTS ; WASTE LAND) . . . . . Act15,1874.

LEASE.

I. GENERALLY.

"Lease," "lessor," "lessee," "premium" and "rent" defined. (*See also* WORDS AND PHRASES) . . . . . Act4,1882,s.105.
Registered instrument when required ; unregistered instrument or oral agreement when sufficient . . . . . " s.107.
Act 4, 1882, s. 107 (Registration) :
Power to exempt territory from operation of . . . . " s.1.
Not to apply to territory excluded from operation of Registration Act, 1877[1] . . . . . " s.1.
Extended to all cantonments . . . . . Act15,1910,s.29.
Duration and termination of . . . . . Act4,1882,ss.106,110.
Rights and liabilities of lessor and lessee in absence of contract or local usage . . . . . " s.108.
Rights of parties on transfer of . . . . . " s.109.

[1] Rep. *See* Act 16, 1903.

LEASE—*contd.*

1. GENERALLY—*contd.*

Determination of:

Events on which lease determines	Act4,1882,s.111.
Waiver of forfeiture	„ s.112.
„ notice to quit	„ s.113.
Relief against forfeiture for non-payment of rent	„ s.114.
Effect of surrender and forfeiture on under-lease	„ s.115.
„ holding over	„ s.116.
Ss. 105 to 116 not to apply to agricultural leases unless notified by Government	„ s.117.

See also LANDLORD AND TENANT; TRANSFER OF PROPERTY, A.

2. CASES GOVERNED BY ENGLISH LAW.

Act 28, 1866, declared in force throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
„ „ applies only to cases to which English law is applicable	Act28,1866,s.45.
Definitions	„ s.1.
Restrictions on effect of licenses given under lease	„ ss.20,21.
Apportionment of conditions of re-entry in certain cases	„ s.22.

LEGACY.

See ADMINISTRATION (INDIAN LAW), 3; SUCCESSION, 6.

LEGAL PRACTITIONERS ACT 1846, 1853, 1879 (*See* LEGAL PRACTITIONER)	Act1,1846. Act20,1853. Act18,1879.
„ „ „ 1884	Act9,1884.
„ „ „ 1896	Act11,1896.
„ „ „ (AMENDMENT) ACT, 1908	Act1,1908.

LEGAL PRACTITIONER.

1827. Bom. Reg. 2, ss. 47 to 54, 56 (Pleaders, Bombay Presidency).
1846. Act 1 (Pleaders, etc., Bombay and Madras Presidencies).
1853. Act 20 (Pleaders, etc., Bombay and Madras Presidencies).
1865. Act 20, s. 3 (Repeal).
1866. Bom. Act 12, ss. 16, 17 (Courts, Sindh).
1869. Ben. Act 2, s. 21 (Tenures, Chota Nagpur).
1874. Act 15, ss. 4, 5 (Laws Local Extent).
1877. Reg. 1, s. 27 (Courts, Ajmere).
„ Reg. 2, s. 118 (Revenue Agents, Ajmere).
1879. Act 17, s. 68 (Dekkhan Agriculturists).
1879. Act 18 (Legal Practitioners, Assam, Bengal, etc.).
1894. Reg. 1, s. 3 (Laws, Angul).
1896. Reg. 1, ss. 25 to 29, 38 (Civil Courts, Upper Burma).
„ Reg. 9, s. 90 (*d*) (Civil Justice, British Baluchistan).
1898, Act 5, s. 557 (Cr. Procedure).
1900. Act 6, s. 40 (Courts, Lower Burma).
1900. Reg. 1, s. 18 (2) (*b*) (Chittagong Hill Tracts).
1901. Reg. 7, ss. 5, 9 (Laws, N.-W. Fr.).
1903. U. P. Act 2, s. 21 (Land Alienation).
1908. Act 5, s. 119 (Civil Procedure).
„ Act 14, s. 4 (Cr. Law Amendment).

GENERALLY.
1. ASSAM, BENGAL, CENTRAL PROVINCES, LOWER BURMA, N.-W. PROVINCES, OUDH, PUNJAB, ETC.
2. AJMERE.
3. BRITISH BALUCHISTAN.
4. BOMBAY AND MADRAS PRESIDENCIES.
5. NORTH-WEST FRONTIER PROVINCE.
6. UPPER BURMA (EXCEPT THE SHAN STATES).

LEGAL PRACTITIONER—*contd.*

GENERALLY.

Definitions of "legal practitioner." *See* WORDS AND PHRASES.
Unauthorised persons not to address Chartered High Court . Saving of such Courts' power to make rules concerning Advocates, Vakils and Attorneys. *See also* INSOLVENCY, A. . . . Act5,1908,s.119.
Pleader not to appear before Magistrate holding inquiry under Act 14, 1908 . . . . . Act14,1908,s.4.
Practising pleader not to sit as Magistrate in certain Courts . . Act5,1898,s.557.
See also ACTIONABLE CLAIM; SOLICITOR.

1. BENGAL, CENTRAL PROVINCES, EASTERN BENGAL AND ASSAM, [1] LOWER BURMA, PUNJAB, UNITED PROVINCES, ETC.

Act 18, 1879, applies *proprio vigore* to Bengal, Central Provinces, Eastern Bengal and Assam, Punjab and United Provinces and may be extended by notification to other Provinces [1] . . . . Act18,1879,s.1.
" " declared in force in Angul District . . . Reg.1,1894,s.3.
Definitions . . . . . Act18,1879,s.3.
Advocates and vakils duly enrolled:
In what Courts they may practise . . . . . " s.4.
Power of non-chartered High Courts to enrol and punish advocates . . . . . " s.41.
Attorneys duly enrolled:
In what Courts they may practise . . . . . " s.5.
Pleaders, mukhtars and revenue agents:
Power to make rules as to qualifications, admission, etc., of . " ss.6,16,17.
Appointment of examiners and conduct of examinations . " s.37.
Grant and renewal of certificates to . . . . . " ss.6,7,17,18.
Certificate to practise as revenue agent not to be granted in Ajmere . . . . . Reg.2,1877,s.118.
In what Courts and offices they may practise . . . . Act18,1879,ss.7to10,19,20.
Power to make rules declaring functions, etc., of mukhtars or revenue agents . . . . . " ss.11,16,17.
Punishment of, for touting or other misconduct . . . " ss.6,12to17,21to24,32to35,39,40.
Power to frame and publish list of touts . . . . . " s.36.
Certificates of; stamping of . . . . . " s.25,Sch.II.
" surrender of, on suspension or dismissal of holder . . . . . " s.26.
Regulation of remuneration of . . . . . " ss.27,28to31.
Act 18, 1879, not to apply to High Court practitioners, except as specially provided . . . . . " s.38.
Mukhtar or vakil not to be heard before Special Commissioner under Chota Nagpur Tenures Act, 1869, unless with consent of such Commissioner . . . . . Ben.Act2,1869,s.21.
Power of Local Government to make rules prohibiting, restricting or regulating appearance of, in Chittagong Hill Tracts . . Reg.1,1900,s.18(2)(b).
Legal practitioner not to appear in cases under U. P. Act 2, 1903 . . . . . U.P.Act2,1903,s.21.
Right of audience of Advocates and other legal practitioners of abolished Courts in Lower Burma preserved . . . . Act6,1900,s.40.

[1] Section 3 and Chapters II, III, V to VIII and the second schedule of Act 18,1879, have been extended to Lower Burma [*See* Burma Gazette, 1900, Pt. I, p. 320; 1908, Pt. I, p. 18].

LEGAL PRACTITIONER—*contd.*

2. AJMEER.

No person to be admitted or enrolled as a pleader or mukhtar in Ajmere under Act 18, 1879 . . . . . Reg.1,1877,s.27.

3. BRITISH BALUCHISTAN.

Power to make rules as to qualifications of and conditions to be imposed on legal practitioners in British Baluchistan . . Reg.9,1896,s.90(*d*).

4. BOMBAY AND MADRAS PRESIDENCIES.

Bom. Reg. 2, 1827, ss. 47 to 54 and 56, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts . . . . . Act15,1874,s.5.

Acts 1, 1846, and 20, 1853, declared in force throughout the Presidencies of Bombay and Madras, except as regards the Scheduled Districts . . . . . ,, ss.4,5.

Advocates :

Right of barristers to plead in Sadr Courts and subordinate Courts, subject to rules of those Courts . . . . (Bo.,M.)Act1,1846,s.5. (Bo.,M.)Act20,1853,s.4.

Attorneys :

Right of enrolled attorneys to plead in Sadr Courts and subordinate Courts, subject to rules of those Courts . . . (Bo.,M.)Act20,1853,ss.3,4.

Pleaders :

Office of pleader open to all, but certificate required . . . (Bo.,M.)Act1,1846,s.4.

To hold document authorising them to act ; no limitation on number of pleaders . . . . . (Bo.)Bom.Reg.2,1827,s. 47(*1*),(*2*),(*4*), 48(*1*),(*3*),5. (*1*),Schs.J.K.

In what Courts they may practise . . . . . ,, s.49.

Remuneration of . . . . . ,, ss.50(*2*),52(*1*)to (*4*), App.L. (Bo.,M.)Act1,1846,ss.7, 8,9.

Punishment of . . . . . (Bo.)Bom.Reg.2,1827, ss.50(*3*),51(*2*), 50(*4*),54(*1*),56. (Bo.,M.)Act1,1846,ss.10, 12.

To give written receipts for documents received from clients . . (Bo.)Bom.Reg.2,1827,s. 51(*2*).

Withdrawal of, from case . . . . . ,, s.53(*3*).

To report when they are unable to attend Court . . . . ,, s.54(*1*).

Not bound to attend Court except at hearing of cause in which employed . . . . . (Bo.,M.)Act20,1853,s.2.

Application to pleaders in Munsifs' Courts of rules as to pleaders in District Courts . . . . . (Bo.,M.)Act1,1846,s.11.

Act 1, 1846, not to apply to vakils in Courts under Mad. Regs. 5 or 12 of 1816 or Mad. Act 1, 1889 . . . . . Act1,1846,s.13. Mad.Act1,1889,s.2.

Acts 1, 1846, and 20, 1853, repealed—

in places to which Act 20, 1865, was extended . . . Act20,1865,s.3.

in Provinces in which Act 18, 1879, is in force . . . Act18,1879,s.42.

Legal practitioners not to appear before Village Munsif or Conciliator under Dekkhan Agriculturists' Relief Act . . . . Act17,1879,s.68.

LEGAL PRACTITIONER—*contd.*

4. BOMBAY AND MADRAS PRESIDENCIES—*contd.*

Sindh

Power to make rules as to qualifications and admission of pleaders in . . . . . } Bom.Act12,1866,s.16.
Punishment of pleaders in . . . . . }
Remuneration of pleaders in . . . . . „ s.17.

5. NORTH-WEST FRONTIER PROVINCE.

Act 18, 1879, except s. 36 as substituted by Act 11, 1896, s. 4, repealed . . . . . } Reg.7,1901,s.5,Sch.3.
Power of Judicial Commissioner to make rules as to qualifications and conditions for admission as legal practitioners and as to their fees and as to when they may address Court in English . } „ ss.9(*2*),44(*1*)(*a*),(*d*).
Legal practitioners to get authority from Judicial Commissioner to appear and practise; concurrence of Revenue Commissioner required in case of Revenue Courts; "pleader" defined } „ s.9(*1*),(*4*).
Penalty for unauthorised persons practising as legal practitioners in . . . . . } „ s.9(*5*).

6. UPPER BURMA (EXCEPT THE SHAN STATES).

Advocates to be licensed by Judicial Commissioner . . . . Reg.1,1896,ss.25,26,38.
Control, taxation and regulation of advocates' fees . . . „ ss.27,28,38.
Penalty for receiving or giving commission . . . . „ s.29.

LEGAL REPRESENTATIVES SUITS ACT, 1855. (*See* ADMINISTRATION OF ESTATES (IND. LAW); TORTS) . . . } Act12,1855.

LEGISLATIVE COUNCILS. *See* GOVERNMENT OF INDIA, 2, (*c*).

LEGISLATIVE POWERS. *See* EUROPEAN BRITISH SUBJECT; GOVERNMENT OF INDIA, 2.

LEGISLATURE; definitions of. *See* WORDS AND PHRASES.

LEPERS ACT, 1898 (*See* LEPER) Act3,1898.

LEPERS (AMENDMENT) ACT, 1903 . . . . . Act13,1903.

LEPER.

Act 3, 1898, extent and commencement of . . . . . Act3,1898,s.1.
„ „ declared in force in Santhál Parganas . . . Reg.3,1872,s.3,Sch.
„ „ „ „ Upper Burma except Shan States Act13,1898,s.4,Sch.1.
Definition of "leper," "pauper leper" . . . . . Act3,1898,s.2.
Asylum:
Appointment of; specification of area and constitution of Board for, and appointment of Superintendent of . . } Act3,1898,ss.3,4,5.
Detention of pauper lepers in . . . . . „ s.8.
Inspection of, by Board . . . . . „ s.13.
Local authority, powers of, to expend funds for and appropriate property for use as . . . . . } „ s.17.
Inspector of lepers, appointment of . . . . . „ s.4.
Lepers within asylum areas, power to prohibit, from following certain trades and doing certain acts; punishment for disobeying prohibition . . . . . } „ ss.9,10.
Penalty on person employing lepers in prohibited trade, etc. . „ s.11.
Declaration by, that a person is leper: appeal . . . . „ ss.7,15.

LEPER—*contd.*
Native States, lepers in . . . . . Act3,1898,s.19.
Pauper leper:
Arrest of . . . . . ,, s.6.
Procedure with regard to . . . . . ,, ss.6,8.
Detention of, in asylum . . . . . ,, s.2(*1*).
Re-arrest on escape . . . . . ,, s.12.
Discharge of by order of Board . . . . . ,, s.14.
Suit, etc., against person acting in good faith barred . . . ,, s.18.
Rules; power of Local Government to make . . . . . ,, s.16.
LETTERS PATENT. *See* PATENT.
LICENSE.
Act 5, 1882, extends *proprio vigore* to Sambalpur District (Bengal), Central Provinces, Coorg and Madras Presidency . . . . . [1]Act5,1882,s.1.
,, ,, extended to Bombay Presidency and United Provinces . . . . . Act8,1891.
,, ,, not to affect certain rights . . . . . Act5,1882,s.2.
Definition of. (*See also* WORDS AND PHRASES) . . . . s.52.
Grant of . . . . . Act5,1882,ss.53,54. 57,58.
"Accessory license" defined . . . . . ,, s.55.
When transferable . . . . . ,, s.56.
Grantor's transferee not barred by . . . . . ,, s.59.
Revocation of . . . . . ,, ss.60to63.
Rights of licensee on eviction . . . . . ,, s.64.
See also LEASE, 2.
LICENSED WAREHOUSE AND FIRE BRIGADE ACT, 1893. (*See* FIRE) . . . . . Ben.Act1,1893.
,, ,, ,, AMENDMENT ACT, 1894 . Ben.Act1,1894.
LIEN.
Of agent, on principal's property . . . . . Act9,1872,s.221.
Of bailee . . . . . ,, s.170.
Of banker, factor, wharfinger, attorney, policy-broker . . ,, s.171.
Of person making advance for cultivation of indigo. *See* INDIGO.
Of Railway-administration . . . . . Act9,1890,s.55.
Of seller of goods . . . . . Act9,1872,ss.95to98.
For freight. *See* MERCHANT SHIPPING, 6.
In case of Dekkhan Agriculturist, must be in writing . . Act17,1879,s.70.
LIEUTENANT-GOVERNOR. *See* GOVERNMENT OF INDIA, 2 (*c*).
LIFE.
Offences affecting. *See* CRIMINAL LAW (INDIAN), 14 (*a*).
Appliances for saving. *See* MERCHANT SHIPPING, 7 (*a*).
LIGHTHOUSE. *See* MERCHANT SHIPPING, 10.
LIGHTS (COAST). *See* MERCHANT SHIPPING, 7 (*a*).
LIMITATION ACT (INDIAN), 1908 . . . . . Act9,1908.
LIMITATION OF TIME.

[1] Act 5, 1882, has been extended to Ajmer-Merwara by notification under Act 14, 1874.

LIMITATION OF TIME—*contd.*

1. PRELIMINARY.

Act 9, 1908, extends to whole of British India . . . . Act9,1908,s.1.
" " ss. 2 to 25, not to apply to suits under Act 4, 1869 (Divorce) . . . . . " s.29(2).
" " not to affect Act 9, 1872 (Contract), s. 25 . . " s.29(1)(a).
" " not to affect any special or local law . . . " s.29(1)(b).

2. SUITS, APPEALS AND APPLICATIONS.

General list of; time prescribed for institution of suits, presentation of appeals and making of applications . . . Act9,1908,s.3,Sch.I.
Extinguishment of right to property on expiry of period of limitation . . . . . Act9,1908,s.28.
Period of limitation for certain suits in Punjab . . . PunjabActl,1904.
To be dismissed if not instituted, presented or made within prescribed time . . . . . Act9,1908,s.3.
Suits when deemed to be instituted . . . . . " s.3.
Continuous running of time . . . . . " s.9.
Time not to run—
while Court closed . . . . . " s.4.
during minority or insanity . . . . . " ss.6,8.
When time does not run against joint creditor or claimant. . " ss.7,8.
Power to admit appeal or application for review after expiration of time . . . . . " s.5.
Suit against express trustee not barred by any length of time . " s.10.
Exclusion of foreign laws of limitation . . . . . " s.11.
Computation of time:
Exclusion of time in certain cases . . . . . " ss.12to16.
Effect of death before right to sue accrues . . . . " s.17
" fraud . . . . . " s.18.
" acknowledgment in writing . . . . . " ss.19,21.
" payment of interest, or part payment of principal, or receipt of produce of mortgaged land . . . " ss.20,21.
" substituting or adding new plaintiff or defendant . " s.22.
In case of continuing breaches or wrongs . . . . . " s.23.
" suit for compensation to act not actionable without special damage . . . . . " s.24.
Application of Gregorian calendar . . . . . " s.25.

LIQUOR.

Definitions of. *See* WORDS AND PHRASES.
Duty on imports of, by sea, and imports by land from foreign territory . . . . . Act8,1894,ss.3,5,Sch.3.
See also CUSTOMS (SEA); EXCISE.

LITERARY SOCIETY. *See* SOCIETY, 1.

LITTLE COCOS AND PREPARIS ISLANDS LAWS ACT, 1883. (*See* LITTLE COCOS ETC.) . . . . . Act8,1883.

LITTLE COCOS ISLAND AND PREPARIS ISLAND.

Laws in force in Hanthawaddy District to apply to . . . " s.2.
No longer subject to the Andamans Regulation, 1876, and no longer a Scheduled District . . . . . " s.4.

LIVE STOCK IMPORTATION ACT, 1898. (*See* ANIMAL, A, 1; CUSTOMS) . . . . . Act9,1898.

LOAD-LINES. *See* MERCHANT SHIPPING, 7 (*a*).

LOAN.

A.—ENGLISH LAW.

See FINANCE; GOVERNMENT OF INDIA, 1.

B.—INDIAN LAW.

1. Preliminary.

Act 11, 1879, extends to whole of British India . . . Act11,1879,s.1.
" " declared in force in the Santhál Parganas . . Reg.3,1872,s.3,Sch.
" " " in Upper Burma except Shan States . . . . . Act13,1898,s.4,Sch.1.
Act 19, 1883, extends to whole of British India, but does not come into force till notified . . . . . Act19,1883,s.1.
" " declared in force in—
the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
Upper Burma generally (except the Shan States) Act13,1898,s.4,Sch.1.
Act 12, 1884, extends *prprio vigore* to certain Provinces and may be extended to others by notification . . . . . Act12,1884,s.2.
Act 12, 1884, declared in force in Upper Burma, except Shan States Act13,1898,s.4,Sch.1
Act 15, 1885 (amending Act 11, 1879), declared in force in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
Act 12, 1897, extends to whole of British India . . . Act12,1897,s.1.
" " declared in force in Upper Burma except Shan States . . . . . Act13,1898,s,4.Sch.1.

2. To Local Authorities.

(*a*) IN ORDINARY CASES.

Definitions . . . . . Act11,1879,s.3.
Power of Local Authority to apply to Government for loan, on security of its funds, for carrying out works which it is legally authorised to undertake . . . . . " s.4.
Power of Governor General in Council to make rules as to such loans . . . . . " s.5.
Power to attach such funds if loan, interest or costs not paid . " s.6.
Power to authorise Local Authority to borrow from private person on security of its funds; application of ss. 5 and 6 of Act . " s.7.
Application of Act to loans existing before 5th September 1871 . " s.9.
Local Authorities not to borrow otherwise than under Act; exceptions . . . . . " s.8.
Power of certain local authorities to borrow on short term bills or promissory notes . . . . . Act3,1904,s.2.
Power of certain local authorities to borrow to repay previous loans . . . . . s.3.
In Madras Presidency. *See* LOCAL AUTHORITY.
Act 11, 1879, not affected by—
Local Self-government Acts:
U. P. . . . . U.P.Act3,1906,s.2(3).
Punjab . . . . . Act20,1883,s.63.

LOAN—*contd.*

B.—INDIAN LAW—*contd.*

2. To Local Authorities—*contd.*

(*a*) IN ORDINARY CASES—*contd.*

Borrowing powers of Municipal Commissioners :
See under MUNICIPALITY, (*Sub-heading* "FUNDS and PROPERTY.")

Borrowing powers of—
Port Trustees, etc.— *See* PORT COMMISSIONERS, ETC.— (*Sub-heading*, 4).

(*b*) IN EMERGENT CASES.

Power of Local Authority, with previous sanction of Governor General in Council, to borrow, on security of its funds, for famine-relief or prevention of outbreak or spread of dangerous epidemic disease	Act12,1897,s.2.
Power of Governor General in Council to impose conditions on such loans	,, s.3.
Application of Act 11, 1879, ss. 6, 7, to such loans	,, s.4.
Application of Act 12, 1897, to loans made before commencement of Act	,, s.5.

3. To Agriculturists.

(*a*) FOR AGRICULTURAL IMPROVEMENTS.

Definition of "Collector"	Act19,1883,s.3.
Purposes for which, and persons to whom, loan may be granted by public officer	,, s.4.
Applications for loans how dealt with	,, s.5.
Order granting loan conclusive evidence on certain points	,, s.8.
Liability of joint borrowers as between themselves	,, s.9.
Repayment and recovery of loans	,, ss.6,7.
Power of Government to make rules as to loans	,, s.10.
Exemption from land-revenue of improvements made with aid of loan granted under Act	,, s.11.
Registration of orders granting loans under Act 19, 1883	Act16,1908,s.89(*1*).

(*b*) FOR OTHER AGRICULTURAL PURPOSES.

Power of Government to make rules as to loans to owners and occupiers of arable land for relief of distress, purchase of seed or cattle or other agricultural purposes not specified in Act 19, 1883	Act12,1884,s.4.
Recovery of such loans	,, s.5.
Liability of joint borrowers as between themselves	,, s.6.
Registration of orders granting loans under Act12, 1884	Act16,1908,s.89(*3*).

(*c*) SPECIAL PROVISIONS FOR MADRAS PRESIDENCY.

Board of Revenue to recommend to Local Government loans for takkavi, repairs or improvements	Mad.Reg.1,1803,s.51.
Collector not to make loans for cultivation, repairs of tanks, etc., without sanction of Local Government	Mad.Reg.2,1803,s.59.

LOAN—*contd.*

B.—INDIAN LAW—*contd.*

4. Miscellaneous.

Borrowing powers of Railway Companies. *See* RAILWAY, 10.
Loans to or by Co-operative Credit Societies. *See* SOCIETY, 3.
Provision for summary realization of loans granted by Local Government during pending famine operations . . . — U.P.Act1,1897.
Loans to or by member of Indin Civil Service; prohibition of. *See* GOVERNMENT OF INDIA, 2 (*d*).
Loan for drainage scheme. [*See* DRAINAGE I, B, 3.]

LOCAL AUTHORITIES LOAN ACT, 1879. [*See* LOAN, B 2 (*a*), LOCAL SELF-GOVERNMENT I; MUNICIPALITY I; PORT COMMISSIONERS, etc.,] — Act11,1879.
" " " " 1888. (*See* LOCAL AUTHORITY) . . . . — Mad.Act1,1888.
" " " " 1904. [*See* LOAN, B, 2 (*a*)] . — Act3,1904.
" " " " (1879) AMENDMENT ACT, 1885 . . . . — Act15,1885.
" " " (AMENDMENT) ACT 1905 . . — Act1,1905.
1907 . . — Act5,1907.
1908 . . — Act8,1908.
" " (EMERGENCY) LOANS ACT, 1897. [*See* LOAN, B 2 (*b*)] . — Act12,1897.

LOCAL AUTHORITY.

Defined. *See* WORDS AND PHRASES.
Acquisition of land for. *See* LAND (INDIAN LAW), A. (2) (*b*), (*c*).
Powers, etc., of, as to construction of tramway. *See* TRAMWAY; TRAMWAYS.
Further powers of. *See* LEPER.
Placing and maintaining telegraph lines and posts on property of — Act13,1885,ss.12to15.
See ELECTRICITY.
To furnish annual returns to facilitate recovery of income-tax . — Act2,1886,s.10.
Payment by, of cost of bridges at railway level-crossing . . — Act9,1890,s.14.
Control over taxation of railway by . . . . . — " s.135.
Prohibition of receipt by, as money, of metal which is not coin . — Act1,1889,s.8.
See also MARCHING TROOPS; PROVIDENT FUND.
Mad. Act 1, 1888, extends to whole of Madras Presidency . . — Mad.Act1,1888,s.1.
Definitions . . . . . — " s.2.
Power of Government to authorise Local Authority to charge its funds for payment of interest on, or for repayment of, moneys expended on work to which such funds might lawfully be applied . . . . . — " s.3.
Power of Local Government to make rules as to such charging . — " s.5.
Power to attach such funds if engagements not fulfilled . . — " s.4.
Ch. V of Bengal Tenancy Act, 1885, not to confer right of occupancy in and Ch. VI thereof (non-occupancy raiyats) not to apply to land acquired by Government for a local authority . — Act8,1885,s.116(am.Ben. Act1,1907,s.40,E.B. &.A.,Act1,1908,s.40).
Loans to. *See* LOAN, B, 2.

LOCAL AUTHORITY—*contd.*
Particular Local Authorities. *See* CANTONMENT; DRAINAGE, I, B, C; LOCAL SELF-GOVERNMENT; MUNICIPALITY; PORT COMMISSIONERS OR TRUSTEES.

LOCAL BOARDS ACT (BOMBAY), 1884. } (*See* LOCAL SELF-GOVERNMENT) . } Bom.Act1,1884.
" " " (MADRAS), 1884. } Mad.Act5,1884.

LOCAL FUNDS ACT (BOMBAY), 1869. } (*See* LOCAL RATES) } Bom.Act3,1869.
" " " (SINDH), 1865.[1] } Bom.Act8,1865.

LOCAL GOVERNMENT; definitions of. *See* WORDS AND PHRASES.

LOCAL AND RURAL POLICE RATES ACT (UNITED PROVINCES), 1906 . . . . . } U.P.Act2,1906.

LOCAL RATES REGULATION (ASSAM), 1879 . . . . Reg.3,1879.

LOCAL RATES AND CESSES.

AJMERE.
A.—ASSAM (LOCAL RATE).
B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL (ROAD CESS AND PUBLIC WORKS CESS).
C.—BOMBAY PRESIDENCY.
COORG.
D.—LOWER BURMA (CESSES AND HOUSE-TAX).
E.—CENTRAL PROVINCES (LOCAL RATE).
MADRAS PRESIDENCY (VILLAGE CESSES).
F.—UNITED PROVINCES (LOCAL RATE).
G.—OUDH (LOCAL RATES).
H.—PUNJAB (LOCAL RATE).

AJMERE.

See LOCAL SELF-GOVERNMENT, II, 5.

A.—ASSAM (LOCAL RATE).

Definitions . . . . . Reg.3,1879,s.2.
All land liable to rate in addition to land-revenue and local cesses; maximum amount imposable . . . . . } " s.3.
Cessation or diminution of cess when rate imposed . . . " s.4.
Power to make rules and orders as to assessment and collection of rate and exempting land from rate . . . . . } " s.6.
Landholders to furnish information; in default, enquiry and surveys may be made . . . . . } " s.7.
Costs of assessment recoverable from landholders in certain cases " s.10.
Appeal from assessment . . . . . " ss.8,9.
Recovery of rate . . . . . " s.5.
Power of landholder under certain circumstances to recover share of rate from tenant . . . . . } " s.17.
Proceeds of rate to be carried to credit of a general Provincial Fund . . . . . } " s.11.
Application of rate for famine relief, works of general provincial utility and local improvements . . . . . } " ss.12,13.
District and Branch Committees for application of funds allotted under s. 12 . . . . . } " ss.14,15.
Accounts . . . . . " s.16.
Suits by what Courts cognizable . . . . . " s.18.

[1] This short title was given by Bom. Act 1, 1884, s. 2.

LOCAL RATES AND CESSES—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL (ROAD CESS AND PUBLIC WORKS CESS).

1. Preliminary.

Ben. Act 9, 1880, extends to certain districts in Bengal and Eastern Bengal and may be extended to others by notification	Ben. Act 9, 1880, s.2.
,, ,, ,, not to affect immoveable property in Calcutta or in provincial municipalities . . .	
,, ,, ,, power to exempt district, estate or tenure from operation of	
Definitions	,, s.4(am., Ben. Act 4, 1910, s.2).

2. Imposition and application of Cesses.

All immoveable property liable to Road cess and Public Works cess	,, s.5.
Previous sanction of Governor General in Council required to levy of cesses on railways or tramways belonging to or guaranteed by Government	,, s.8.
Application of proceeds of road cess. [*See also below*, 4 (1)] .	,, s.9.
,, ,, ,, public works cess	,, s.10.

3. Assessment, Payment and Recovery of Cesses.

Rate of cess how to be fixed ; maximum allowed . . .	,, ss.6, 38 to 40, 148, 153.
District Board to fix rate of road cess annually . . .	Ben. Act 3, 1885, s.46.
Announcement of rate when fixed	Ben. Act 9, 1880, ss.40, 154 to 156.
Limitation on amount of cess payable by Local Government .	,, s.7.
Cess how to be assessed	,, s.6.
Power to fix and alter cess year	,, s.11.
Valuation and re-valuation of lands for purposes of assessment :	
General provisions	,, ss.12 to 32, 92, 94, 95, Schs. A, B (ss.12, 14, 15, 16 am., ss.22, 23 sub. and s.94 rep. pt. Ben. Act 4, 1910, ss.3 to 6, 17).
Special provisions as to lands used for cultivation of tea, coffee or cinchona	,, s.33, Sch. C.
Preparation and publication of valuation-rolls . . .	,, ss.34, 35.
Duration of valuations and re-valuations	,, s.36 (am. Ben. Act 4, 1910, ss.5, 7).
Power to reduce valuations and to value estates and tenures not previously valued	,, s.37 (am. Ben. Act 4, 1910, ss.5, 7).
Procedure for valuation of lands in respect of which record-of-rights is being prepared, revised or maintained ; duration of valuation and power of Collector to reduce valuation . .	,, ss.37A to 37I (ins. Ben. Act 4, 1910, s.8).
Distribution of valuation in case of partition . . .	s.43.

LOCAL RATES AND CESSES—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL (ROAD CESS AND PUBLIC WORKS CESS)—*contd.*

3. Assessment, Payment and Recovery of Cesses—*contd.*

Time and mode of payment of cess	Ben.Act9,1880,ss.41,42(s.41am.Ben.Act4,1910,s.9).
Recovery of cess from tenures in Government estates	Ben.Act9,1880,s.40A
Arrears of cess when recoverable ; interest allowed	,, ss.45,47to49. (s.49am.Ben.Act4,1910,s.12).
Recovery of money due to Collector under Public Demands Recovery Act out of rent	,, ss.98,99,Sch. F.
Effect on liability to cess of the opening of a separate account under Act 11, 1859, or Ben. Act 7, 1876 ; opening of separate account in respect of cesses	,, s.44(am.Ben. Act4,1910,s.10).
Power of Collector to keep separate accounts of cesses payable by registered holders of revenue-free lands ; power to close separate account	,, s.46(am.Ben. Act4,1910,s.11).
Special provisions as to valuation, assessment, payment and recovery in case of—	
lands held rent-free	,, ss.50to71(s.52A ins.ss.54,57am.Ben.Act4, 1910,ss,5,13,14)Sch.A.Sch. D.
mines, quarries, tramways, railways and certain other immoveable property ; penalty for omitting to make a return	,, ss.72to84,Sch. E.(s.72Ains.,Ben.Act4, 1910,s.15).
small revenue-free estates in Orissa and Midnapur	,, ss.85to90.
Appeal against valuation, levy of fine, and certain other orders of Collector	,, ss.102to104. (am.Ben.Act4,1910,ss.18, 19).
Revision of valuations by Commissioner and Board of Revenue	,, s.93.
Revision of orders by Collector ; all proceedings of officers to be subject to supervision of Commissioner and Board of Revenue	,, s.105(sub. Ben.Act4,1910,s.20).
Establishments	,, s.91.
Power to pay commission to tahsildars	,, s.91A(ins. Ben.Act4,1910,s.16).
Service of notices and processes	,, ss.96,97.
Delegation of Collector's powers	,, ss.100,101.
Power of Board of Revenue to make rules	,, s.106.
Rights in respect of immoveable property not affected except as expressly provided	,, s.107.

4. District Road Fund, and Committees for Administration thereof.

(1) District Road Fund :

Constitution of	Ben.Act4,1910,ss.9,10,108.
To be lodged with Collector	Ben.Act9,1880,s.170.
Application of	,, ss.109,110,111 (s.109am.Ben.Act3,1885, s.2,Sch.II,andBenAct5, 1908,s.64).

LOCAL RATES AND CESSES—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL (ROAD CESS AND PUBLIC WORKS CESS)—*contd.*

4. District Board Fund, and Committees for Administration thereof—*contd.*

(1) District Road Fund—*contd.* :

Assignment from, to Branch Committee	Ben.Act9,1880,s.164	Rep.locally,Ben.Act3,1885, s.2, Sch. I.
Accounts of	,, ss.170, 172to 179	
Payments from, how to be made	,, s.171	

(2) District Road Committee :

Constitution of ; term of office and removal of members	,, ss.112to 117(ss.112,113am. Ben.Act4,1910,s.21), 161.	
Collector to be Chairman of	,, s.118	
Appointment, term of office and removal of Vice-Chairman of	,, ss.129,130	
Appointment, term of office, salary and removal of District Engineer	,, ss.131,132	
Appointment and salaries of other officers and servants	,, ss.133,135to 137	
Leave of absence, absentee allowances, pensions and gratuities for officers and servants	,, ss.134,135,138	
Transaction of business by	,, ss.119to128	
To furnish information to Commissioner and Local Government when required	,, s.128	
Contract ; execution of, for Committee	,, s.139	
Penalty on member, officer or servant of Committee being pecuniarily interested in contract or work made with or executed for Committee	,, s.140	
To prepare statement of roads and other means of communication to be brought under Act ; revision of statement by Local Government	,, ss.141to144	
Preparation, revision and sanctioning of estimates of receipts and expenditure of	,, ss.145to153, 157	
To determine rate for levy of road-cess, subject to revision by Local Government	,, ss.148,153	
Publication of rate as finally fixed	,, ss.154to156	
Not to begin execution of work till estimates passed, etc.	,, s.147	
Annual report to be submitted by	,, s.178	
Power of, to make bye-laws as to roads and other communications	,, s.180	

See also below, (3).

(3) Branch Committee :

Power to appoint, in addition to Road Committee, and define local area of its authority	,, s.158	
Appointment and removal of Chairman and Vice-Chairman of	,, ss.158,160	
Application of ss. 112 to 117, 119, 122 to 127, 139, 140 to	,, s.159	
Selection by, of member to be additional member of District Road Committee	,, s.161	
Subordination of, to District Road Committee	,, s.162	

LOCAL RATES AND CESSES—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL (ROAD CESS AND PUBLIC WORKS CESS)—*contd.*

4. District Board Fund, and Committees for Administration thereof—*contd.*

(3) Branch Committee—*contd.* :

Submission of statements, etc., by	Act.9,1880,ss.162, 163.	Rep.locally,Ben.Act3, 1885,s.2,Sch.1.
Power to invest, with powers of District Road Committee; application of ss. 135, 139, 141 to 143, 146, 150 to 153 and 157 to Branch Committee so invested.	Act9,1880,ss.165to 168.	
Power to revoke order constituting Branch Committee or vesting it with powers	Act,9,1880,s.169	
Annual report to be submitted by	,, s.178	
(4) Transfer to District Board of roads, etc., held by District Road Committee or Branch Committee under Cess Act, 1880	Ben.Act3,1885,s.73(rep. pt.Ben.Act5,1908,s.2).	

5. Miscellaneous.

Power of Local Government—		
to give directions as to establishments and expenses in offices of control	Ben.Act9, 1880,s.181.	Rep.locally Ben.Act3, 1885,s.2, Sch. 1.
to make rules for working of Act	,, s.182.	
Ben. Act 9, 1880, ss. 110 to 181, s. 182, cls. (*a*), (*b*), (*c*), (*e*), (*g*), (*h*) rep. in Eastern Bengal and the greater part of Bengal	Ben.Act3,1885,s.2,Sch.	

C.—BOMBAY PRESIDENCY.

Cess and Shop or Office Tax :		
Bom. Act 3, 1869, does not extend to Sindh or City of Bombay	Bom.Act3,1869,s.15.	
Power to levy cess on lands ; maximum rate	,, s.6.	
Provisions as to assessment and levy of cess	,, ss.7,8.	
Recovery of cess by landholders from their tenants	,, s.8.	
Net proceeds of cess to be credited to Local Fund constituted by Bombay Local Boards Act	Bom.Act1,1884,s.44(*b*).	
Sindh :		
Power to levy cess on lands, in same way as land-revenue	Bom.Act8,1865,ss.1,3.	
Maximum rate of cess	,, ss.1to3.	
Power to levy shop or office tax in same way as land-revenue ; maximum rate	,, s.4.	
Cess and tax by whom to be levied and collected	,, s.5.	
Net proceeds of cess and tax to be credited to Local Fund constituted by Bombay Local Boards Act	Bom.Act1,1884,s.44(*a*).	
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COORG.

See LAND-REVENUE, XII, 3.

D.—LOWER BURMA (CESSES AND HOUSE-TAX.)

Imposition of	Act2,1880,ss.4to6,8.	
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LOCAL RATES AND CESSES—*contd.*

E.—CENTRAL PROVINCES (LOCAL RATE).

See LOCAL SELF-GOVERNMENT, V, 5.

MADRAS PRESIDENCY (VILLAGE CESSES).

Village-officers' Cess. } *See* VILLAGE, F, 1 (*a*).
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F.—PROVINCE OF AGRA (LOCAL RATE).

Definitions	U.P.Act2,1906,s.2.
Every estate liable to rate in addition to land-revenue, road cesses, etc.; certain estates liable to further rate; maximum amounts imposable; rates to be paid by landlord	,, ss.3(*1*),4.
Local Government to make rules for ascertaining area of land assessable in certain cases	,, s.21(*2*).
Power of Local Government to make orders and rules as to assessment and collection of rates and exemptions from Act or rate	,, s.21.
Recovery of rates	,, s.11.
Recovery by landlord from tenants and co-sharers, of whole or portion of rates paid by him	,, ss.12,15,16.
Compensation for illegal exaction of rates	,, s.17.
Balance of proceeds of rates to be carried to credit of District Fund	,, ss.6,7.
Appropriation from proceeds of rates of necessary amount for maintaining village and road police	,, ss.5,7(*1*)(*b*).
Suits under Act by what Court cognizable; appeals	,, ss.18,19.
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G.—OUDH (LOCAL RATES).

Definitions	,, s.2.
Every estate liable to rate in addition to land-revenue, road cesses, etc.; maximum amount imposable; rates to be paid by landholder	,, ss.3(*2*),4.
Power of Local Government to make rules as to assessment and collection of rate, exemptions from Act or rate	,, s.21(*1*).
Recovery of rates	,, s.11.
Power of landholder to recover from co-sharers, under-proprietors and others	,, ss.13,15,16.
Compensation for illegal exaction of rates	,, s.17.
Proceeds of rate to be credited to District Fund	,, ss.6,7.
Suits under Act by what Courts cognizable; appeals	,, ss.18,19
Bar to jurisdiction of Civil Courts as to assessments	,, s.20.

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H.—PUNJAB (LOCAL RATE).

See LOCAL SELF-GOVERNMENT, VIII, 5.

LOCAL SELF-GOVERNMENT ACT (BENGAL) OF 1885	Ben.Act3,1885.
,, ,, ,, (CENTRAL PROVINCES), 1883	Act1,1883.

LOCAL SELF-GOVERNMENT.

1878. Act 17, s. 7A (Ferries).
1879. Act 11, s. 8 (Local Authorities Loan).
1883. Act 1 (Local Self-government, Central Provinces).
„ Act 20 (District Boards, Punjab).
1884. Ben. Act 3, ss. 37A, 66A (Municipalities, Bengal).
„ Bom. Act 1, (Local Boards, Bombay).
„ Mad. Act 5 (Local Boards, Madras).
1885. Ben. Act 1, s. 35 (Ferries).
„ Ben. Act 3 (Local Self-government, Bengal).
1886. Reg. 5, s. 26 (Municipalities, Ajmere).
1886. Reg. 6 (Rural Boards, Ajmere).
1890. Mad. Act 2, s. 11 (Canals and Ferries).
1891. Act 20, ss. 27, 183 (Municipalities, Punjab).
1900. U. P. Act 1, s. 38 (Municipalities).
„ Reg. 6 (District Boards, Coorg).
1901. Bom. Act 3, ss. 39, 52 (Municipalities, Bombay Districts).
1902. Act 11, ss. 11, 12 (Village Sanitation, C. P.).
1903. Punj. Act 1, s. 5 (Transport Animals).
„ Act 16, s. 23 (Municipalities, C. P.).
1906. U. P. Act 3 (District Boards).
1907. Reg. 2, s. 23 (Municipalities, Coorg).

I.—GENERALLY
ASSAM
II.—AJMERE
III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL
IV.—BOMBAY PRESIDENCY
V.—CENTRAL PROVINCES
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VIII.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE
IX.—UNITED PROVINCES

1. Preliminary.
2. Constitution of Administrative Areas and Local Authorities.
3. Duties and Powers of Local Authorities.
4. Conduct of Business.
5. Finance and Property.
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7. Miscellaneous.

I.—GENERALLY.

Local Authorities Loan Act, 1879, not to affect borrowing powers of any Local Authority, or its power to guarantee payment of interest . . . . . Act 11, 1879, s. 8.

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Chaukidars. *See* POLICE, II, A, 2, 3; B, 2, 3.
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ASSAM.

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Constitution and functions of panchayat under laws relating to—
Chaukidars. *See* POLICE.
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II.—AJMERE.

Preliminary.

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2. Constitution of Administrative Areas and Local Authorities.

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LOCAL SELF-GOVERNMENT—*contd.*

II.—AJMERE—*contd.*

2. Constitution of Administrative Areas and Local Authorities—*contd.*

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Chairmen and Vice-Chairmen	,,	s.22(c).
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3. Duties and Powers of Local Authorities.

Matters to be administered by Boards (roads and other means of communication, schools, hospitals, dispensaries, markets, rest-houses, sarais, water-supply, trees, famine-relief, pounds, encamping-grounds, shows, exhibitions, etc.)	,,	ss.4,12.
District Board—		
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Power of Boards to make rules	,,	s.23.

4. Conduct of business.

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Power to make rules as to meetings, proceedings, etc.	Reg.6,1886,ss.22(c),23.	

5. Finance and Property.

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7. Miscellaneous.

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LOCAL SELF-GOVERNMENT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL

1. Preliminary.

Act extends to Bengal and Eastern Bengal except Calcutta and municipalities	Ben.Act3,1885,s.1(rep.pt. Ben.Act5,1908,s.2).
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Definitions	,, s.5(am.Ben.Act5, 1908,s.3).

12. Constitution of Administrative Areas and Local Authorities.

Establishment of District Boards and Local Boards	Ben.Act3,1885,s.6,Sch.III (s.6rep.pt.inBen., BenAct5,1908,s.2).
Constitution of District Boards and Local Boards	,, ss.7to15,138(*a*) (am.inBen.,Ben.Act5, 1908,ss.4,5,6,60),Sch.III.
Term of office of members of Boards; resignation and removal of members; filling of casual vacancies	,, ss.16to19A,138(*a*). [s.16rep.ss.17,18,19,138(*a*) am.ss.18A,19Ains.inBen., Ben.Act5,1908,ss.2,7to10, 60].
Incorporation of District Board	Ben.Act3,1885,s.20.
Time for Boards coming into existence	,, s.21.
Chairman and Vice-Chairman of Board	,, ss.22to29A,32(*e*), 138(*c*)(s.22am.,s.23A ins.), s.24rep.ss.25,26am.,s.26A ins.,ss.27,29am.s.29A ins., [s.32am.inBen.,Ben.Act5, 1908,ss.11to17,2).
Union Committee:	
Provisions as to, not to apply anywhere unless expressly extended by notification	Ben.Act3,1885,s.37.
Constitution of Unions	,, s.38.
,, ,, Committees	,, ss.38to41, 138(*a*).
Term of office of members; filling of casual vacancies	,, ss.42,43.
Joint Union Committees	,,s.44(am.inBen.,Ben. Act5,1908,s.23).
Chairman	,, s.41A(ins.inBen., Ben.Act5,1908,s.22).
Settlement of dispute between different Union Committees	,, s.133(am.inBen.,Ben. Act5,1908,s.59).
Relation of Local Board to District Board	,, ss.101to103,130, 133,135,138(*t*)(s.103rep.in pt.,ss.130,133am.s.134rep. Ben.,Ben.Act5,1906,ss.2, 56,59).

LOCAL SELF-GOVERNMENT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

2. Constitution of Administrative Areas and Local Authorities—*contd.*

Relation of Union Committee to Local Board . . . . . Ben.Act3,1885,ss.103,104,119,130,133,134,138(*t*)(s.103,rep.pt.,ss.104,119,130,133,am.,s.134rep.inBen.,Ben.Act5,1908,ss.2,49,55,56,59).

Committees for application of Road cess and Public Works cess. *See* LOCAL RATES AND CESSES, B, 4.

Drainage Commissioners; appointment and powers of. *See* DRAINAGE, I, B, C.

3. Duties and Powers of Local Authorities.

General duties and powers of District Boards:

All Boards, unless the Local Government otherwise directs (pounds, education, medical relief, public works in Bengal and Eastern Bengal; also students' hostels, tolls and sanitation in Bengal) . . . . . Ben.Act3,1885,ss.59,61to91,138(*j*)to(*n*)(ss.59,61,63am.,s.64A ins.,s.65am.,ss.65A,65B ins.,67am.,72rep.,s.73am.,s.78A,ins.,ss.82,86am.,ss.86Ato86M,88A,ins.,s.91am.,s.138,cls.(*j1*),(*j2*),(*j3*),(*M1*),(*M2*)ins.,cls.(*k*)(*n*)am.inBen.,Ben.Act5,1908,ss.31,33to45,2,60).

Power to contribute towards cost of municipal water-supply in Bengal . . . . . Ben.Act3,1885,s.88A ins.,inBen.,Ben.Act5,1908,s.44.

Boards notified by Local Government (sanitation in Eastern Bengal; also vaccination, taking of census, famine-relief, staging bungalows, sarais, destruction of noxious animals, fairs, exhibitions, etc., in Bengal and Eastern Bengal; also relief of distress, veterinary matters and agriculture in Bengal) . . . . . Ben.Act3,1885,ss.60,87to100,138(*n*)to(*p*)(ss.60,99,100am.,s.99A ins.,s.138,cl.(*s.1*)ins.,cl.(*p*)am., in.Ben.,Ben.Act5,1908,ss.32,46,47,48,60).

Irrigation works for relief of famine or scarcity in Bengal . . Ben.Act3,1885,ss.99A,138(*s1*)ins.inBen.,Ben.Act5,1908,ss.47,60).

Transfer of public ferry to District Board . . . . . Ben.Act1,1885,s.35.

Powers, etc., of District Board under Bengal Sanitary Drainage Act, 1895. *See* DRAINAGE, I, C.

General duties and powers of Local Boards . Ben.Act3,1885,ss.101to107,110,117,130(s.103rep.pt.,ss.104to107,110,117,130am.,inBen.,Ben.Act5,1908,ss.2,49,50,52,55,56).

Authority for specially empowered Boards to make bye-laws; penalties and prosecutions for breach of such bye-laws . . Ben.Act3,1885,ss.139to141(s.139am.inBen.,Ben.Act5,1908,s.61).

Duties and powers of Union Committees (village roads, bridges, pounds, primary schools, dispensaries, registration of births and deaths, sanitation, drainage, water-supply in Bengal and Eastern Bengal; also conservancy, cleansing of villages and control over building in Bengal . . . . . Ben.Act3,1885,ss.104to119,138(*q1*)(ss.104to111,114,115am.,ss.118Ato118D ins.,s.119am.,s.138cl.(*q1*)ins.inBen.,Ben.Act5,1908,ss.49to55,60).

LOCAL SELF-GOVERNMENT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

3. Duties and Powers of Local Authorities—*contd.*

Sanitation, Conservancy, and Drainage :

Bengal :

Duties of Union Committee	Ben.Act3,1885,s.115(am.in Ben.,Ben.Act5,1908,s.55).
Power of Union Committee	„ s.116(am.inBen.,Ben. Act5,1908,s.55).
Cleansing of villages : powers of Union Committee ; recovery of cost	„ s.117(am.inBen.,Ben. Act5,1908,s.55).
Building : power of Union Committee to control ; penalties	„ s.118(am.inBen.,Ben. Act5,1908,s.55).
Water-supply ; powers of Union Committee as to	„ s.118A(ins.inBen.,Ben. Act5,1908,ss.55,60).
Power of entry by Union Committee	„s.118B (ins.inBen.,Ben. „ Act5,1908,ss.55,60).
Cost of operations how to be met	„s.118C (ins.inBen.,Ben. Act5,1908,ss,55,60).
Appeals against orders, awards and assessments	„s.118D,(ins.inBen.,Ben. Act5,1908,ss.55,60).
Power to make rules	„s.138(*g*1)ins.inBen.,Ben. Act5,1908,ss.55,60.

Eastern Bengal—

Union Committee to provide for sanitation	„ s.115.
„ „ to control drains and conservancy-works	„ s.116.
Delegation to Union Committee of Local Board's power as to sanitation, drainage or water-supply	„ s.117.
Power of Union Committee to cleanse or repair tanks, drains, etc., and recover cost and retain control	„ ss.118,119.
Power of Local Board or District Board to suspend action of, or execute work which ought to be done by, Union Committee or Local Board, respectively	„ ss.124,126,130(s. 130am.inBen.,Ben.Act5, 1908,s.56).

4. Conduct of Business.

Joint Committees	Ben.Act3,1884,s.37A,Ben. Act3,1885,s.30.
Meetings, transaction of business and record of proceedings	Ben.Act3,1885,ss.31,32,46, 138(*b*),(*c*),(*f*),(*h*)[ss.32,138 (*f*)am.inBen.,Ben.Act5, 1908,ss.17,60].
Officers and servants (appointment, duties, leave, pensions, etc.)	Ben.Act3,1885,ss.32(*g*),33 to36,84,85,91to93,99,138 (*g*),(*h*1),(*l*)[ss.32,33am.,s.34 rep.,s.35am.,s.35A ins.,ss. 36,91,99am.,s.138(*h*1)ins.in Ben.,Ben.Act5,1908,ss.17 to21,2,45,46,60].
„ „ Provident fund for	Ben.Act3,1885,s.35A(ins. Ben.,Ben.Act5,1908,s.20).
Education Committee	Ben.Act3,1885,ss.65B,138 (*j*3)(ins.inBen.,Ben.Act5, 1908,ss.37,60).

LOCAL SELF-GOVERNMENT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

4. Conduct of Business—*contd.*

Sanitary Inspector in Eastern Bengal and Sanitation Committee and Sanitary Inspector in Bengal . . . . . Ben.Act3,1885,ss.91,138 (*n*)(am.inBen.,Ben.Act5, 1908,ss.45,60).

5. Finance and Property.

Power to transfer to Local Authority—

funds vested in other local bodies . . . . . Ben. Act3, 1885, s.45.

,, for primary schools in Eastern Bengal or for schools and students' hostels in Bengal . . . . . ,, s.65(am.Ben.,Ben. Act5,1908,s.36).

District Board to fix rate of road-cess annually. . . . . ,, s.46.

District Fund; constitution and custody of . . . . . ,, s.52(am.Ben.,Ben. Act5,1908,s.26).

,, ,, application of . . . . . ,, s.53(am.Ben.,Ben. Act5,1908,s.27).

,, ,, balance of District Board Fund, left after payment of expenses mentioned in s. 109 of the Cess Act, 1880—

to be credited to District Fund . . . Ben.Act3,1885,s.52(1).

to be so credited under a separate head (in Bengal) . . . . . ,, s.52,para.2(ins.Ben. Act5,1908,s.26).

,, ,, application of, to other objects, to be subject to rules made by Local Government (in Bengal) ,, ss.53,prov.(3),138 (*h*2)(ins.Ben.Act5,1908, ss.27,60).

,, ,, temporary or accidental deviations from provisions relating to crediting or application of . Ben.Act3,1885,s.53A(ins. Ben.,Ben.Act5,1908,s.28).

,, ,, estimates and accounts of District Board . . Ben.Act3,1885,ss.47to49, 54,138(*h*),(*i*),(*r*),(s.48am. Ben.,Ben.Act5,1908,s.24).

,, ,, ,, ,, of Local Board . . Ben.Act3,1885,ss.50,138(*r*).

,, ,, power of District Board to raise loans . . ,, s.50(am.Ben., Ben.Act5,1908,s.25).

Union Fund; constitution and custody of . . . . . ,, s.56(am.Ben.,Ben. Act5,1908,s.29).

,, ,, application of . . . . . ,, s.57.

,, ,, accounts . . . . . ,, ss.58,105,138(*r*) (ss.58,105,am.Ben.,Ben. Act5,1908,ss.30,49,50).

,, ,, estimates . . . . . Ben.Act3,1885,s.105(am. Ben.,Ben.Act5,1908,s.50).

Finance Committee; appointment and duties of . . . . Ben.Act3,1885,ss.55,138 (*a*),(*e*).

Tolls on bridges (in Bengal only):

power to establish toll-bars and to levy tolls . . . ,,ss.86A,86C(ins.inBen., Ben.Act5,1908,s.43).

,, lease toll-bars . . . . . ,,ss,86B,86C(ins.inBen., Ben.Act5,1908,s.43).

exemptions from tolls . . . . . ,,s.86D(ins.inBen.,Ben. Act5,1908,s.43).

rates of tolls . . . . . ,,s.86E(ins.inBen.,Ben. Act5,1908,s.43).

LOCAL SELF-GOVERNMENT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

5. Finance and Property—*contd.*

Tolls on bridges (in Bengal only)—*contd.*

exhibition of table of toll	Ben.Act3,1885,s.86F(ins. Ben.Act5,1908,s.43).
compounding for tolls	,, s.86G(ins.inBen.,Ben. Act5,1908,s.43).
recovery of tolls; penalties; assistance by police	,, ss.86Hto86L(ins.in Ben.,Ben.Act5,1908,s.43).
publication of accounts, and removal of toll-bars	,, s.86M(ins.inBen.,Ben. Act5,1908,s.60).
power to make rules as to	,, s.138,cls.(*m*1),(*m*2) (ins.inBen.,Ben.Act5,1908, s.60).
Property; general power of District Board to acquire, hold and transfer	,, ss.20,138(*d*).
,, transfer to District Board of roads, etc., held by District Road Committee or Branch Committee under Cess Act, 1880	Ben.Act3,1884,s.73.
,, power of Local Government to place property under control and administration of District Board	,, s.74.
,, works constructed by District Board to vest in it	,, s.75.
,, power of District Board to acquire road, etc.	,, s.76.
,, public streams, channels, etc., placed under control and administration of District Board	,, s.89.
,, village-roads, drains, conservancy-works and certain sources of public water-supply placed under control and administration of Union Committee—	
in Eastern Bengal	,, ss.108,116, 119.
in Bengal	,, ss.108,115 (*3*),118A(*3*),(am.Ben.,Ben. Act5,1908,ss.51,55).

6. General Powers of official Control.

Powers of Magistrate and Commissioner as to expenditure of Boards	Ben.Act3,1885,ss.47,48 (s.48am.Ben.,Ben.Act5, 1908,s.24).
Local Government, Commissioners and District Magistrates to see that proceedings of Local Authorities are in conformity with law	,, s.120.
Powers of District Magistrate, Commissioner and Local Government as to supervision, suspension of action and execution of work	,, ss.121,122, 124to130 (s.130am.Ben.,Ben.Act5, 1908,s.56).
Appointment, powers and duties of Inspector of local works	Ben.Act3,1885,ss.123,138 (*l*).
Power of Local Government to supersede Board (in Bengal or Eastern Bengal) or Union Committee (in Bengal) for incompetency, default or abuse of powers; consequences of supersession	,, ss.131,132 (am.in.Ben.,Ben. Act5,1908,ss.57,58).
Power of Local Government to make rules	,, s.138(am.inBen., Ben.Act5,1908,s.60).
Settlement of disputes between Local Authorities	Ben.Act3,1884,s.66A, Ben.Act3,1885,ss.136,137.

LOCAL SELF-GOVERNMENT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*concld.*

7. Miscellaneous.

Liability of members of Boards or Union Committees for loss, waste or misapplication of money or property	Ben.Act3,1885,s.142(am.in Ben.,Ben.Act5,1908,s.62).	
Penalty on member, officer or servant of Local Authority being unlawfully interested in work done for, or contract made with, that Authority	,,	s.144(am.in Ben.,Ben.Act5,1908,s.63).
Power of Local Authority to pay compensation	,,	s.145.
Suit against member of Local Authority, etc.: notice of suit; limitation; tender of amends	,,	s.146.
Publication of rules and bye-laws	,,	s.143.

IV.—BOMBAY PRESIDENCY.

1. Preliminary.

Act does not apply to City of Bombay or to Aden	Bom.Act1,1884,s.1.	
Definitions	,,	s.3.

2. Constitution of Administrative Areas and Local Authorities.

Establishment of District Local Boards for each district and Taluqa Local Boards for each taluqa established under the Bombay Land-revenue Code, 1879, or for such other areas as the Local Government may determine	Bom.Act1,1884,ss.4to7,69(*a*).	
Establishment of Local Boards for exceptional areas	,,	s.8.
Election of members of Boards	,,	ss.16to26, 69(*b*).
Qualifications and disqualifications of members of Boards	,,	ss.10,11,12,70.
Term of office of members; filling of casual vacancies	,,	ss.13,14,15.
Presidents and Vice-Presidents of Local Boards	,,	ss.27to29.
Incorporation of Local Boards	,,	s.9.
Relation of Taluqa Local Boards to District Local Board	,,	s.31.
Sanitary Committees and Boards, Bombay. *See* VILLAGE, B, 2.		

3. Duties and Powers of Local Authorities.

Local Funds to be administered by Local Boards	,,	s.4.
Obligatory duties of Local Boards (roads and other means of communication, medical relief, markets, dharmsalas, public buildings, water-supply, primary education, vaccination, sanitation, trees, etc.)	,,	s.30.
Discretionary powers of Local Boards (model farms, horticulture, breeding of horses and cattle, preservation of fish, famine-relief, education, etc.)	,,	s.31.

4. Conduct of Business.

Meetings, transaction of business and record of proceedings	,,	ss.32(*a*),33, 34.
Execution of contracts	,,	s.35.
Officers and servants	,,	ss.38to40, 63,69(*c*).

LOCAL SELF-GOVERNMENT—*contd.*

IV.—BOMBAY PRESIDENCY—*contd.*

4. Conduct of Business—*contd.*

Joint Committees Bom.Act1,1884,s.36. Bom.Act3,1901,s.39

Power to prescribe conditions as to . . . . . Bom.Act1,1884,s.69(*c*).

Vacancies and irregularities not to invalidate proceedings . . ,, s.32(*b*),(*c*).

5. Finance and Property.

Local Fund; constitution and custody of . . . . ,, s.44.

,, ,, portions of, which may be expended by Taluqa Local Board and District Local Board, respectively . ,, s.45.

,, ,, charges to be defrayed by District Board from . . ,, s.46.

,, ,, assignments from, by District Local Board to municipalities and cantonments . . . . . ,, s.47.

,, ,, expenditure for educational purposes to be met by District Local Board only; provisions for determining by which Boards' expenditure should be incurred for other purposes . . . . . ss.48,49.

,, ,, authority for payments from . . . . . ,, s.50.

,, ,, accounts . . . . . ,, ss.51,52,60.

,, ,, estimates . . . . . ,, ss.53to56,57 to59.

Contribution by Municipal Commissioners towards expenditure incurred in area subject to Local Board . . . . . Bom.Act3,1901,s.52.

Property; power of Local Board to acquire, hold and transfer . Bom.Act1,1884,s.9.

,, transfer to Local Boards of property vested in superseded Local Fund Committees . . . . . ,, s.41.

,, vesting in Local Board of roads, etc., constructed by it ,, s.42;1885,s.2.

,, acquisition of land for Local Board . . . . . ,, s.72.

6. General Powers of Offical Control.

Powers of Commissioner, Collector, other local officers and Local Government as to supervision, expenditure on establishments, suspension of action and execution of work . . . . . ,, ss.62to66.

Power of Local Government to supersede Board for incompetency, default or abuse of powers; consequences of supersession . ,, s.67.

,, ,, ,, to frame forms and make rules . ,, s.69.

General powers of Local Government, Commissioners and Collectors over subordinate officers . . . . . ,, s.68.

7. Miscellaneous.

Assignment to District Local Board or Taluqa Local Board of liabilities existing at commencement of Act . . . . . ,, s.43.

Works by whom to be executed; powers of Government Executive Engineer in executing works, and charges for Government establishments employed by him . . . . . ,, s.61.

Liability of member of Board for misapplication of funds . . ,, s.37.

Penalty on member, officer or servant of Board being unlawfully interested in work done for, or contract made with, Board . ,, s.70.

Members of Local Boards and officers and servants of District Local Boards deemed "public servants" . . . . . ,, s.71.

LOCAL SELF-GOVERNMENT—*contd.*

IV.—BOMBAY PRESIDENCY—*concld.*

7. Miscellaneous—*contd.*

Suit against Board, etc. : notice of ; limitation ; tender of amends	Bom.Act1,1884,s.74.
Certain functions of Local Government to be exercised by Commissioner in Sindh	,, s.73.

V.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT (BENGAL).

1. Preliminary.

Definitions	Act1,1883,ss.2,24(9).

2. Constitution of Administrative Areas and Local Authorities.

Aggregation of villages in circles and groups	Act1,1883,s.3.
District Councils and Local Boards established . . .	,, s.4.
Constitution of District Councils and Local Boards . . .	Act1,1883,ss.5to7,34(*a*).
Time for District Councils and Local Boards coming into existence	,, s.40.
Incorporation of District Council	,, s.8.
Chairman of District Council or Local Board	,, s.19.
Relation of Local Boards to District Council	,, ss.10to14.
Power to declare Local Board independent	,, s.15.

3. Duties and Powers of Local Authorities.

Matters to be administered by District Council and Local Board (roads and other means of communication, schools, hospitals, dispensaries, markets, rest-houses, sarais, water-supply, trees, famine-relief, pounds, ferries, etc.)	,, ss.9,10.
Suspension of authority of District Council and Local Board in villages under the operation of the Central Provinces Village Sanitation Act, 1902	Act11,1902,s.12.

4. Conduct of Business.

School Committees	Act1,1883,ss.16,20,34(*b*),(*c*).
Joint Committees	Act1,1883,ss.17,18. Act16,1903,s.23.
Meetings and proceedings	Act1,1883,ss.20,34(*c*).
Officers and servants	,, s.21.

5. Finance and Property.

District Fund ; constitution, custody and application of . .	,, ss.23,34(*f*).
,, ,, transfer to District Council or Local Board of moneys held by punchayets under the Central Provinces Village Sanitation Act, 1902, on withdrawal of that Act	Act11,1902,s.11.
,, ,, estimates and accounts	Act1,1883,ss.24to27,34(*e*).
Taxation : rates payable under settlement record : confirmation, payment, collection and recovery of ; accounts of ; power to exempt land from payment of	,, ss.41,42.

LOCAL SELF-GOVERNMENT—*contd.*

V.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT (BENGAL)—*contd.*

5. Finance and Property—*contd.*

Property : power to vest in District Council . . . . . Act1,1883,s.22.
" " of District Council to acquire, hold and transfer " s.8.
" acquisition of land for District Council . . . " s.37.
Transfer of public ferry to District Council or Local Board . Act17,1878,s.7A.

6. General Powers of Official Control.

Powers of Deputy Commissioner, Commissioner and Local Government as to supervision, suspension of action and execution of work . . . . . Act1,1883,ss.28to31,33.
Power of Local Government to supersede District Council or Local Board for incompetency, default or abuse of powers . . . Act1,1883,s.32.
" " " to make rules . . . . . " ss.34,35.

7. Miscellaneous.

Power to except territory from operation of Act . . . . " s.36.
Penalty on member of District Council, etc., being interested in contract made with Council, etc. . . . . " s.38.
Publication of rules and orders made by Local Government . " ss.35,39.

VI.—COORG.

District Board and District Fund to be formed ; monies to be credited to Fund . . . . . Reg.6,1900,s.2.
Special rate on holders of land :
Power to impose, limit of . . . . . " s.3.
Assessment on revenue-free land . . . . . " s.4.
Recovery of . . . . . " s.5.
Bar to suits as to . . . . . " s.6.
Appeal to Chief Commissioner from orders of Commissioner . " s.7.
Abolition of dhuli-tax, plough-tax and house-tax on agriculturists . . . . . " s.8.
Power of Chief Commissioner to make rules . . . . . " s.9.
Joint Committees : appointment of, by Municipal Committee and District Board ; delegation of powers to, and framing of regulations for . . . . . Reg.2,1907,s.23.

VII.—MADRAS PRESIDENCY.

1. Preliminary.

Act does not apply to City of Madras, or to any municipality or scheduled district . . . . . Mad.Act5,1884,s.2.
Definitions . . . . . " s.3.

2. Constitution of Administrative Areas and Local Authorities.

Power to constitute taluqs . . . . . " s.5.
" " " Unions . . . . . " s.6.

LOCAL SELF-GOVERNMENT—*contd.*

VII.—MADRAS PRESIDENCY—*contd.*

2. Constitution of Administrative Areas and Local Authorities—*contd.*

Constitution of District Boards and Taluq Boards	Mad. Act 5, 1884, ss. 8 to 19, 141(*i*).
,, ,, Panchayat for Union	,, ss. 119 to 122, 144(*i,a*),(*iv*).
Time coming into existence of—	
Taluq Board	,, s.5.
Panchayat of Union	,, s.6.
President and Vice-President of Board	,, ss.8,9,14,15, 20,21,144(*i*).
Chairman of Panchayat	,, ss.123,144(*i,b*).
Entire executive power vested in—	
President of Board; delegation of powers to Vice-President; President's power on emergency	,, ss.33,33A.
Chairman of Panchayat	,, ss.132,133.
Term of office, resignation, removal, filling of casual vacancies—	
Member, President or Vice-President of Board	,, ss.22 to 25.
Member or Chairman of Panchayat	,, ss.124 to 127A.
Remuneration of President, Vice-President or Chairman of Board or Panchayat: no other member to receive remuneration	,, s.26.
Incorporation of Boards	,, s.27.
Elections and appointments (other than *ex-officio*) to be notified	,, s.27A.
Relation of Taluq Board to District Board	,, s.144(*iii*).
,, Panchayat to Taluq Board	,, ss.128,144 (*iii*).
Power to dissolve Taluq Board	,, s.5.
,, ,, Panchayat	,, s.6.

3. Duties and Powers of Local Authorities.

Matters to be administered by Boards (streets, bridges and other means of communication, trees, hospitals, dispensaries, lunatic asylums, choultries, markets, drains, water-supply, medical relief, vaccination, sanitation, education, famine-relief, etc.)	,, ss.95,144(*iii*), (*iv*).
Power of Local Government to transfer institutions and works to Board	,, s.97.
Power of District Board to make bye-laws for regulation of markets, slaughter-houses, cartstands, burial and burning grounds, offensive trades, conservancy, use of and traffic on public roads, etc.: penalties for breach	,, s.152A.
District Board to provide for gratuitous vaccination	,, s.102.
Duties of President of District Board as to vaccination	,, s.112.
Duties and powers of Taluq Board to be exercised by District Board in areas for which there is no Taluq Board	,, s.167.
Matters to be administered by Panchayat (streets, drains, water-supply, etc.)	,, ss.141,144 (*iii*),(*iv*).
Power of Taluq Board to transfer institutions and works to Panchayat	,, s.142.

LOCAL SELF-GOVERNMENT—*contd.*

VII.—MADRAS PRESIDENCY—*contd.*

3. Duties and Powers of Local Authorities—*contd.*

Powers of Taluq Board and Panchayat as to projections and obstructions on streets, etc., water-supply, unwholesome buildings and lands, scavenging, markets, slaughter-houses, cart-stands, prevention of infectious diseases, disposal of the dead, etc.	Mad. Act 5, 1884,	ss.98 to 101, 117 to 117Q, 143, 143A, 143B.
Power of Taluq Board to set aside resolution, order or proceeding of Panchayat	,,	s.135.
Power of Taluq Board to employ officers to superintend and inspect working of Unions; powers of such officers	,,	s.136.
Power of President of Taluq Board to provide for execution of work which ought to be done by Panchayat	,,	s.138.

4. Conduct of Business.

Meetings of Boards, transaction of business and record of proceedings	,,	ss.28 to 32, 34, 144.
Meetings of Panchayat, transaction of business and record of proceedings	,,	ss.129 to 131, 144 (*v*).
Servants of Board	,,	ss.41, 42, 44 to 46, 95(*vii*), 144(*vii*).
,, of Panchayat	,,	s.134.

5. Finance and Property.

District Fund: constitution, custody and application of; authority for payments from	,,	ss.54, 149.
Taluq Fund: constitution, custody and application of; authority for payments from	,,	s.56.
Transfer of monies from District Fund to Taluq Fund	,,	s.55.
Contribution by Board towards expenditure incurred by other Local Authorities	,,	s.118.
Funds at disposal of Panchayat; custody thereof; orders for payments therefrom	,,	s.140.
Accounts and estimates	,,	ss.144(*x*),(*xi*), 148, 150.
Taxation:		
Taxes which may be imposed—		
by District Board	,,	ss.57, 58, Schs.A, B.
by Taluq Board	,,	ss.57, 61.
Power for Local Government to direct imposition of taxes	,,	s.59.
Procedure for imposing taxes	,,	ss.60, 62.
Taxes, assessments, distraints, etc., not invalid for defect of form	,,	s.155.
Tax on annual rent-value of land:		
Assessment, payment and recovery of; appeal	,,	ss.64 to 76.
Tax on houses:		
Assessment, payment and recovery of; appeal	,,	ss.77 to 85, 94, Sch.C.
Remission of tax on unoccupied house	,,	s.80.
Remission or refund when house destroyed	,,	s.80A(*2*).

LOCAL SELF-GOVERNMENT—*contd.*

VII.—MADRAS PRESIDENCY—*contd.*

5. Finance and Property—*contd.*

Tolls on vehicles and animals passing along roads :		
Levy, payment and recovery of ; police-officers to assist toll-collectors ; penalty for evading payment	Mad. Act 5, 1884, ss. 88 to 92, 94.	
Power to compound for tolls	,,	s. 87(2).
Fees for temporary erection of structures in public places, or for temporary use of cart-stands, markets, slaughter-houses, etc. :		
Payment and recovery of	,,	ss. 93, 93A, 94, 94A, 155(4).
Exemptions from taxes :		
Power for Local Government to exempt areas or persons	,,	s. 63.
Houses used for public worship or as public choultries or as hospitals or dispensaries, and houses used exclusively for charitable purposes, exempted from house-tax	,,	s. 78(2).
Power of Taluq Board to exempt owner or occupier from house-tax on ground of poverty	,,	s. 86.
Police-officers and persons and property in their custody, and licensed vehicles and animals, exempted from payment of tolls (*see also* TOLLS)	,,	s. 87(3).
Property : general power of Board to acquire, hold and transfer	,,	s. 27.
,, public streets, sewers, etc., vested in District Board	,,	ss. 49, 50.
,, power to transfer management of charitable endowments from Board of Revenue to District Board or Taluq Board	,,	s. 51.
,, transfer of, from District Board to Taluq Board	,,	ss. 52, 144(*ii*).
,, power of Board to acquire road or street	,,	s. 53.
,, acquisition of land for Board	,,	s. 153.
,, what property to be under control and direction of Panchayat	,,	s. 139.
Transfer of canal or public ferry to Local Board	Mad. Act 2, 1890, s. 11.	

6. General Powers of Official Control.

Powers of Collector, other officers and Local Government as to carrying out resolution of Board in default of President, and as to supervision over, suspension of action of, and execution of work which ought to be done by, Board	Mad. Act 5, 1884, ss. 35 to 40.	
Power of Revenue-officer, etc., to provide for execution of work which ought to be done by Panchayat	,,	s. 137.
Power of Local Government to frame forms and make rules ; publication of rules ; rules and forms to have force of law	,,	ss. 144 to 147.
Annual reports to be submitted by Boards and Panchayats	Mad. Act 5, 1884, s. 151.	
Inspection of schools, hospitals, dispensaries, etc., by Government officers	,,	s. 152(1).
Power of Local Government to appoint officers to inspect and superintend operations of Boards and Panchayats	,,	s. 152(2).
Delegation of powers of Collector or Local Government	,,	ss. 159, 160.

LOCAL SELF-GOVERNMENT—*contd.*

VII.—MADRAS PRESIDENCY—*concld.*

7. Miscellaneous.

Vaccination; provisions as to	Mad. Act 5, 1884,	ss. 102 to 115.
Prohibition of inoculation of small-pox	,,	ss. 3(*xviii*), 116.
Members and servants of Board or Panchayat, and tax collectors, deemed "public servants"	,,	s. 43.
Suits against Board, etc.: notice of suit; limitation; tender of amends	,,	s. 156.
Liability of member of Board or Panchayat for loss, waste or misapplication of money or property of Board or Panchayat	,,	s. 157.
Penalty on member or servant of Board or Panchayat being interested in contract made with Board	,,	s. 158.
Penalty for illegal exactions	,,	s. 165.
Publication of notifications	,,	s. 161.
Service of notices	,,	s. 163.
Penalty for non-compliance with notice	,,	s. 162B.
,, ,, unlawfully doing act without license or permission, or in contravention of terms thereof	,,	s. 162A.
,, ,, breach of Act, order or notice	,,	s. 162C.
Damages, expenses, etc., recoverable under Act, determination of, proceedings before Magistrate	,,	s. 162D.
Precautions to be observed in entering zanana	,,	s. 164.
Recovery of fines	,,	ss. 166, 166A.
Vacancies and irregularities not to invalidate proceedings	,,	ss. 155, 162.

VII.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE.

1. Preliminary.

Definitions	Act 20, 1883,	s. 3.
Powers exerciseable from time to time	,,	s. 4.

2. Constitution of Administrative Areas and Local Authorities.

Establishment of District Boards for districts and Local Boards for portions of districts	Act 20, 1883,	s. 10.
Constitution of Boards	,,	ss. 11, 55(2).
Term of office of members; resignation and removal of members; filling of casual vacancies	,,	ss. 12 to 15.
Time for Boards coming into existence	,,	s. 17.
Incorporation of District Board	,,	s. 16.
Chairman and Vice-Chairman of District Board or Local Board	,,	ss. 18, 19, 26(*h*), 55(*i*).
Relation of Local Board to District Board	,,	ss. 21 to 23. 55(*t*).

3. Duties and Powers of Local Authorities.

Matters to be administered by, or which the Local Government may direct to be administered by, District Board and Local Board (roads and other means of communication, hospitals, dispensaries, sarais, education, water-supply, trees, markets, rest-houses, encamping-grounds, embankments, reclamation of land, famine-relief, registration of births, marriages and deaths, fairs, shows, exhibitions, pounds, ferries, etc.)	,,	ss. 20, 21.

LOCAL SELF-GOVERNMENT—*contd.*

VIII.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

3. Duties and Powers of Local Authorities—*contd.*

Power of Board to make regulations; penalty and prosecutions for infringement of such regulations	Act20,1883,ss.56to58.

4. Conduct of Business.

Joint Committees	„ s.24. Act20,1891,s.27.
Meetings and proceedings; power to make rules as to business and affairs	Act20,1883,ss.25,26,55(*q*).
Officers and servants; establishment of Provident Fund	„ ss.26(*g*),27to29, 55(*i*),(s.28am.[1]Punj.Act 1,1905,s.1).

5. Finance and Property.

District Fund; constitution, custody and investment of	Act 20,1883,ss.35,36,55(*b*).
„ „ funds to be provided by Local Government when duties imposed on District Board	„ s.34.
„ „ application of	„ ss.37,55(*j*), (*k*),(sub.[1]Punj.Act1,1905, s.2).
„ „ payment from, in case of works or undertakings benefiting several districts	„ s.38.
„ „ estimates and accounts	„ ss.39to43,55 (*l*)to(*o*),(*r*).
Taxation:	
Local rate:	
Imposition of; proportion of rate to annual value of land	„ s.5(am.[1] Punj.Act2,1906,s.2).
Road, school and post cesses to merge in	„ s.6.
Landholder liable for, subject to certain exceptions	„ s.7.
Recovery of share of, by landholder from occupancy-tenant	„ s.8.
Appropriation of	„ s.9(sub.[1] Punj.Act2,1906,s.3).
Power of District Board to impose taxes approved by Local Government; procedure for imposing, and power to reduce or abolish, such taxes	„ ss.30to32,55 (*a*).
Power of District Board or Local Board to levy fees, with sanction of Local Government	„ s.73.
Assessment, payment, collection and recovery of rates and taxes; appeals; limitation of appeal	„ ss.70to73.
Power of Local Government to reduce, remit or exempt persons or property from rate or tax	„ s.71.
Power of Local Government to direct measurements for assessment of rate or tax	„ s.75.
Suits as to rates or taxes by what Courts cognizable	„ s.76.
Confirmation and recovery of existing rates	„ s.77.
Property: power of District Board to acquire, hold and transfer	„ ss.16,55(*e*).
„ acquisition of land for District Board	„ s.61.
Transfer of public ferry to District or Local Board	Act17,1878,s.7A.

[1] Punjab Acts 1, 1905, and 2, 1906, have been extended (with modification) to the North-West Frontier Province by notification under Act 14, 1874.

LOCAL SELF-GOVERNMENT—*contd.*

VIII.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*concld.*

6. General Powers of Official Control.

Powers of Commissioner, Deputy Commissioner, other local officers and Local Government as to supervision, suspension of action and execution of work	Act20,1883,ss.44to49.
Local Government, Commissioners and Deputy Commissioners to require that proceedings of Boards shall be in conformity with law	„ ss.50,55(*h*).
Power of Local Government to supersede Board for incompetency, default or abuse of powers; consequences of supersession	„ ss.51to53.
Power of Governor General in Council and Local Government to make rules	„ s.55.
Settlement of disputes between Boards or between Board and Municipal Committee or Cantonment Authority	„ s.54, Act20,1891,s.183.
General powers of Local Government over Commissioners and Deputy Commissioners and of Commissioners over Deputy Commissioners	Act20,1883,s.64.

7. Miscellaneous.

Publication of rules and regulations in draft	„ s.60.
Liability of member of Board for loss, waste or misapplication of money or property	„ s.59.
Penalty on member, officer or servant of Board or Joint Committee being interested in contract made with Board or Committee	„ s.62.
Saving of Local Authorities Loan Act, 1879	„ s.63.
Transfer to District Board of contracts made and Government officers employed by Committees under Local Rates Acts	„ ss.65,66.
Power to except territory from operation of Act; appointment of Administrative Committee thereupon	ss.67,68.
Power to withdraw Act 20, 1856 (Chaukidars), from area over which District Board has authority	„ s.69.
Duty of Members of District Board to assist Transport Registration Officer in making enumeration of animals	[1]Punj.Act1,1903,s.5.
LOCAL SELF-GOVERNMENT in municipal towns. *See* MUNICIPALITY.	

IX.—UNITED PROVINCES.

1. Preliminary.

Definitions	U.P.Act3,1906,s.3.

2. Constitution of Administrative Areas and Local Authorities.

District Boards established	U.P.Act3,1906,s.4(*1*).
Constitution of Boards; election and appointment of members	„ ss.4,5,8,56(*1*)(*c*)to(*h*),56(*2*),(*3*).
Term of office of members of Boards; resignation and removal of members; vacation of office on reduction of number; filling of casual vacancies	„ ss.6to11,56(*1*)(*b*).
Incorporation of District Board	„ s.12.
Chairman and Vice-Chairman of District Board	„ ss.13to17.

[1] Punjab Act 1, 1903, has been extended to the North-West Frontier Province by notification under Act 14, 1874.

LOCAL SELF-GOVERNMENT—*contd.*

IX.—UNITED PROVINCES—*contd.*

3. Duties and Powers of Local Authorities.

Matters to be administered by District Board (roads and other means of communication, trees, schools, hospitals, dispensaries, poor-houses, asylums, veterinary hospitals, markets, staging-houses, inspection-houses, public parks and gardens, water-supply, embankments, drainage-works, light railways, famine-relief, pounds, ferries, encamping-grounds, sarais, puraos, shows, exhibitions, public or private charities or trusts placed under Board, public vaccination, village-sanitation, etc.)	U.P.Act3,1906,ss.42,56(*1*)(*a*).

4. Conduct of Business.

Meetings and proceedings ; returns, reports, etc.	,, ss.19to27, ,, 56(*1*)(*i*),(*j*),(*n*),(*q*),(*r*),(*w*),to33,47,(*c*) to(*e*).
Joint Committees	,, s.28. U.P.Act1,1900,s.38.
Officers and servants	,, ss.30to34. 56(*1*)(*s*)to(*v*).

5. Finance and Property.

District Fund ; constitution, custody, investment and application of	,, ss.43to46. 56(*1*)(*k*).
,, ,, estimates and accounts	,, ss.56(*1*)(*l*),(*o*),(*p*).
Contracts by Board	,, ss.35to37.
Power of District Board to acquire, hold and transfer property	,, ss.12,56(*1*)(*m*).
Acquisition of land for District Board	,, s.50.
Property vested in Board	,, s.47.
Endowments and funds of institutions placed under management of Board to be held in trust	,, s.48.
Power of Board to transfer property to His Majesty	,, s.50.
Effect of supersession of Board	,, s.55.
Transfer of public ferry to District Board	Act17,1878,s.7A(ins.Act14, 1883,s.64[1]).

6. General Powers of Official Control.

Powers of District Magistrate, Commissioner and Local Government as to supervision, suspension of action and execution of work	U.P.Act3,1906,ss.51to54.
Power of Local Government—	
to supersede District Board for incompetency, default or abuse of powers ; effect of supersession	,, s.55.
to frame forms and make rules	,, s.56.

7. Miscellaneous.

Notification of elections, nominations, appointments and vacancies	,, s.18.
Proceedings not invalidated by vacancies, defect or irregularity	,, s.29.
Suit against Board, member, servant, etc. ; notice of suit	,, s.39.

[1] Act 14, 1883, is rep. by U. P. Act 3, 1906, s. 2 ; *see* however s. 42 (*1*) (*i*) of the latter Act, where s. 7A of Act 17, 1878, is referred to.

LOCAL SELF-GOVERNMENT—*contd.*

IX.—UNITED PROVINCES—*concld.*

7. Miscellaneous—*contd.*

Certain officers and servants of Board to be deemed public servants . . . . . U.P.Act3,1906, s.41.

Liability of member of Board for loss, waste or misapplication of money or property . . . . . ,, s.40.

Penalty on member, officer or servant of Board, etc., being interested in contract made with Board, etc. . . . . ,, s.38.

Saving of Local Authorities Loan Act, 1879 . . . . . ,, s.2(3).

LODGING-HOUSE ACT (UNITED PROVINCES), 1892 (*See* MUNICIPALITY, XVII) . . . . . U.P.Act1,1892.

,, ,, (PURI), 1871 (*See* PILGRIM, B,I) Ben.Act4,1871.

LODGING-HOUSE.

Seamen's. *See* MERCHANT SHIPPING, 2 (*c*), (*h*).

In Puri, etc. *See* PILGRIM, B. I.

Regulation of, in municipalities :

See under MUNICIPALITY, (*sub-heading* "The public health, Safety and Convenience.")

See also PLACES OF PUBLIC RESORT, ETC.

LOTTERY.

Prosecution and punishment for keeping lottery office. *See* CRIMINAL LAW (INDIAN), 12.

LOW-WATER MARK DEFINED. *See* WORDS AND PHRASES.

LOWER BURMA COURTS ACT, 1900 (*See* BURMA ; CHIEF COURT OF LOWER BURMA ; CIVIL COURTS, VIII ; CIVIL PROCEDURE, 12 ; CRIMINAL PROCEDURE, 13 ; EUROPEAN BRITISH SUBJECT ; LEGAL PRACTITIONER, 1 ; MATRIMONIAL CAUSES ; PROCESS-FEES ; SEAL ; SMALL CAUSE COURTS, B) . . Act6,1900.

LOWER BURMA COURTS ACT (1900) AMENDMENT ACT, 1901 . . . . . Bur.Act4,1901.

LOWER BURMA COURTS ACT (1900) AMENDMENT ACT, 1907 . . . . . Bur.Act7,1907.

LOWER BURMA LAND AND REVENUE ACT AMENDMENT ACT, 1901 . . . . . Bur.Act1,1901.

LOWER BURMA LAND AND REVENUE ACT AMENDMENT ACT, 1907 . . . . . Bur.Act1,1907.

LOWER BURMA TOWN AND VILLAGE LANDS ACT, 1898 [*See* LAND (INDIAN LAW), E ; LAND-REVENUE, IX ; MINES AND MINERAL] . . . . . Bur.Act4,1898.

LUNACY (DISTRICT COURTS) ACT, 1858 (*See* COURT OF WARDS ; LUNATIC) . . . . . Act35,1858.

LUNACY (SUPREME COURTS) ACT, 1858 (*See* COURT OF WARDS ; LUNATIC ; PARTNERSHIP) . . . . . Act34,1858.

LUNATICS REMOVAL (INDIA) ACT, 1851 [1] (*See* LUNATIC, 5) . . . . . 14-5V.c.8.

[1] This short title was given by 59 & 60 Vict. c. 14.

LUNATIC.

1. Preliminary.

Acts 35 and 36, 1858, declared in force—	
throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
in the Santhál Parganas	Reg.3,1872,s.3,Sch.
in the Arakan Hill District (with a modification in Act 35)	Reg.9,1874,s.3.
in Upper Burma generally (except the Shan States)	Act13,1898,s.4,Sch.1.
in British Baluchistan	Reg.1,1890,s.3.
Act 36, 1858, declared in force in Angul District	Reg.1,1894,s.3.
Act 11, 1877 (Military Lunatics), extends to whole of British India and, as regards British subjects, to Native States in alliance with Her Majesty	Act11,1877,s.1.
„ „ declared in force in—	
Upper Burma generally (except the Shan States)	Act13,1898,s.4,Sch.1.
British Baluchistan	Reg.1,1890,s.3.
Definition of "lunatic." *See* WORDS AND PHRASES.	

2. Proceedings in Chartered High Courts.

Power of Court to direct enquiry into alleged lunacy and into affairs of alleged lunatic; procedure in such enquiry; powers of Judge or Provincial Court making such enquiry; costs of enquiry	Act34,1858,ss.1to11.
Committees of person and estate of lunatic; appointment and general powers and duties of	„ ss.12,13,19to 23.
Court or Master of Court; general powers and duties of, as to estate of lunatic	„ ss.14to18,20 to23,30,31.
Power of Court to order performance of contract made before lunacy	„ s.20.
„ „ to dissolve partnership when partner becomes lunatic	„ s.21.
Assumption by Court of Wards of management of lunatic's land	„ s.24.
Transfer of stock belonging to lunatic	„ ss.25,26.
Power to apply lunatic's property for his maintenance without appointing committee	„ ss.27,28.
Enquiry, and setting aside of proceedings, when unsoundness of mind has ceased	„ s.29.

3. Proceedings in Provincial Courts.

Definition of "Civil Court"	Act35,1858,s.23.
Power of Civil Court to institute enquiry into alleged lunacy; procedure in such enquiry; costs; power to issue commission to subordinate Court to hold enquiry	„ ss.2to8.
Transfer of estate of lunatic to Court of Wards, or appointment of manager and guardian, or transfer of estate to Collector	„ ss.9to11.
Remuneration of manager and guardian	„ s.12.
General duties of guardian; allowance for maintenance of lunatic and his family	„ s.13.
General powers and duties of manager	„ ss.14to16.
Suit by relative against manager for an account	„ s.17.

LUNATIC—*contd.*

3. Proceedings in Provincial Courts—*contd.*

Power to fine manager . . . . . Act35,1858,s.19.
,, to remove manager or guardian . . . . . ,, s.18.
Act 35, 1858, s. 11, repealed in Bengal and Eastern Bengal . Ben.Act9,1879,s.2.
,, ,, ss. 12 to 19, declared not to apply to persons or properties under charge of Court of Wards . . . . . ,, s.10.
Power of Court to apply lunatic's property for his maintenance without appointing manager . . . . . Act35,1858,s.20.
Enquiry, and restoration of estate, when unsoundness of mind has ceased . . . . . ,, s.21.
Appeal from orders of Civil Court . . . . . ,, s.22.

4. Asylums.

Power of Local Government to establish public and licensed private asylums . . . . . Act36,1858,s.1.
Power to make rules for management of asylums . . . . ,, s.2.
Asylums to be under authority of Local Boards, Madras. *See* LOCAL SELF-GOVERNMENT, VII, 3.
Appointment of, and inspection by, visitors . . . . . ,, ss.2,3.
Sending to asylum of—
wandering or dangerous lunatics . . . . . ,, ss.4,6,SchA.
certain other civil lunatics . . . . . ,, ss.5,6.
military lunatics . . . . . Act11,1877,s.3(sub. Act5,1909,s.2,Sch.)
Reception of lunatics in asylum . . . . . Act36,1858,ss.7,8,12. Schs.A,B.
Power to detain lunatic in asylum . . . . . ,, s.13.
Payment of expenses of military lunatic . . . . . Act11,1877,s.8.
Order for payment of lunatic's expenses in asylum . . . . Act36,1858,ss.7,8(*4*).
Payment of expenses by Government . . . . . ,, s.14.
Recovery of expenses from relative, etc. . . . . ,, s.15.
Discharge from . . . . . ,, ss.9,10. Act3,1900,s.30(*2*). Act11,1877,s.7. (am.Act5,1909,s.2,Sch.)
Power of Governor General in Council—
to appoint asylum in any part of British India for reception of lunatics from any other part . . . . . Act36,1858,s.17A.
to authorise sending of lunatics to certain asylums . . ,, s.17B.
Act 36, 1858, s. 17B, to be read in Bengal as referring to any part of Bengal outside Calcutta . . . . . Ben.Act1,1909.
Removals of lunatic from one asylum to another . . . . Act36,1858,s.17C.
,, of prisoner from jail to asylum. *See* PRISONER (INDIAN LAW), 2 (5).
Liability to maintain lunatic not affected by Act . . . . ,, s.16.
Act not to affect powers of Chartered High Courts under Act 34, 1858 . . . . . ,, s.17.

5. Miscellaneous.

Power of Magistrate or Commissioner of Police—
to make over charge of lunatic to relative, etc. . . . . ,, ss.4,6.
to order relative, etc., to maintain lunatic . . . . . ,, ss.5,6.
to prevent cruelty to lunatic . . . . . ,, ss.5,6.

LUNATIC—*contd.*

5. Miscellaneous—*contd.*

Detention of lunatic under observation . . . . . Act36,1858,s.6A.

Removal of criminal and other lunatics from India to United Kingdom . . . . . 14-5V.c.81,ss.1to5,7. 47-8V.c.64,s.10(*4*).

Transcript of proceedings in lunacy in High Courts to be sent to and recorded in Courts in United Kingdom . . . . 14-5V.c.81,ss.6,7.

Powers of High Court for disposal of stock, etc., held by lunatic executor or administrator. *See* ADMINISTRATION (INDIAN LAW), **6** (*d*).

Orders by High Court for disposal of property held by lunatic mortgagee. *See* MORTGAGE, **2**.

Valuation of payment, etc., under power-of-attorney without notice of lunacy of donor . . . . . Act7,1882,s.3.

Procedure in suit by or against lunatic. *See* CIVIL PROCEDURE, **4**.

Who to sue for lunatic in matrimonial cause . . . . . Act4,1869,s.48.

For purposes of limitation, time does not run during insanity . Act9,1908,ss.6,7.

Lunatic not liable for criminal offence . . . . . Act45,1860,s.84.

Procedure on trial of lunatic. *See* CRIMINAL PROCEDURE (INDIAN), **11** (2).

Liability for necessaries supplied to lunatic . . . . . Act9,1872,s.68.

Municipal Funds applicable to payment of expenses of pauper lunatics :

See under MUNICIPALITY *sub-heading*, **6**, MISCELLANEOUS.

Payment of deposits in Government Savings Bank belonging to lunatic . . . . . Act5,1873,s.12.

See also ARMY, **3**, (*d*) (4), **6** (*e*), **2** ; INDIAN MILITARY AND NAVAL FORCES, III, 4.

LUSHAI HILLS. *See* FRONTIER, A, 1.

MADRAS ABKARI ACT, 1886 [*See* CRIMINAL PROCEDURE (IND.) ; CUSTOMS (INLAND) ; EXCISE ; MERCHANDISE MARKS] . . Mad.Act1,1886.

MADRAS ABKARI (AMENDMENT) ACT, 1905 . . . . Mad.Act1,1905.

MADRAS ADMINISTRATION OF ESTATES REGULATION, 1802 [*See* ADMINISTRATION OF ESTATES (IND. LAW); UNCLAIMED PROPERTY] . . . . . Mad.Reg.3,1802.

MADRAS AND BOMBAY ARMIES ACT, 1893 (*See* INDIAN MILITARY AND NAVAL FORCES, I) . . . . . 56-7V.c.62.

MADRAS BOARD OF REVENUE ACT, 1894 (*See* LAND-REVENUE, XIII) . . . . . Mad.Act1,1894.

MADRAS BOARD OF REVENUE REGULATION, 1803 (*See* LAND-REVENUE, XIII ; LOAN, B) . . . . . Mad.Reg.1,1803.

MADRAS CANALS AND PUBLIC FERRIES (AMENDMENT) ACT, 1895 . . . . . Mad.Act2,1895.

MADRAS CATTLE DISEASE ACT, 1866 (*See* ANIMAL) . . Mad.Act2,1866.

" " " (AMENDMENT) ACT, 1879 . Mad.Act1,1879.

MADRAS CITY CIVIL COURTS ACT, 1892 (*See* CIVIL COURTS, XII ; PROCESS-FEES ; SEAL ; VALUATION OF SUITS) . . . . Act7,1892.

MADRAS CITY LAND-REVENUE ACT, 1851 (*See* CONTEMPT ; LAND-REVENUE, XIV) . . . . . Act12,1851.

MADRAS CITY LAND-REVENUE (AMENDMENT) ACT, 1867 (*See* LAND-REVENUE, XIV) . . . . . Mad.Act6,1867.

MADRAS CITY MUNICIPAL ACT, 1904 (*See* DOG ; FISHING ; HACKNEY CARRIAGE ; MUNICIPALITY, XV) . . . . Mad.Act3,1904.

MADRAS CITY MUNICIPAL ACT AMENDMENT ACT, 1907 . Mad.Act4,1907.

MADRAS CITY POLICE ACT, 1888 [*See* ANIMAL, B ; ARMS, AMMUNITION AND MILITARY STORES ; BROTHEL AND DISORDERLY HOUSE ; CRIMINAL PROCEDURE (INDIAN); CRUELTY TO ANIMALS, B ; DISTURBED DISTRICT ; DOG ; EXCISE ; FIRE, II ; GAMING ; HOSPITAL ;INDIAN MILITARY AND NAVAL FORCES ; INFANT ; MERCHANT SHIPPING ; MUNICIPALITY, XV ; NUISANCE ; PLACES OF PUBLIC RESORT OR ENTERTAINMENT ; POLICE, I ; POLICY OF INSURANCE ; STOLEN PROPERTY ; STREETS, THOROUGHFARES AND PUBLIC PLACES ; TRESPASS ; UNCLAIMED PROPERTY ; WEIGHTS AND MEASURES] . . . . . Mad.Act3,1888.

MADRAS CITY POLICE (AMENDMENT) ACT, 1898 . . Mad.Act3,1898.

MADRAS CITY POLICE ACT AMENDMENT ACT, 1905 . . Mad.Act4,1905.

MADRAS CITY POLICE (AMENDMENT) ACT, 1907 (*See* POLICE, I) . . . . . Mad.Act3,1907.

MADRAS CIVIL COURTS ACT, 1873 (*See* CIVIL COURTS, XII ; GANJAM AND VIZAGAPATAM DISTRICTS ; OATH AND AFFIRMATION ; SEAL ; VALUATION OF SUITS) . . . . . Act3,1873.

MADRAS CIVIL COURTS ACT, 1885 . . . . . Act21,1885.

MADRAS CIVIL COURTS (AMENDMENT) ACT, 1877 . . . Act19,1877.

MADRAS COAST-LIGHTS ACT, 1904 (*See* MERCHANT SHIPPING) Act9,1904.

MADRAS COFFEE-STEALING PREVENTION ACT, 1878 (*See* COFFEE) . . . . . Mad.Act8,1878.

MADRAS COFFEE-STEALING PREVENTION ACT AMENDMENT ACT, 1900 . . . . . Mad.Act2,1900.

MADRAS COLLECTOR'S REGULATION, 1803 (*See* CUSTOMS ; EXCISE ; LAND-REVENUE, XIII ; LOAN, B ; PARTITION AND UNION, ETC. ; REGISTRATION OF LAND ; SALT) . . . Mad.Reg.2,1803.

MADRAS COMPULSORY LABOUR ACT, 1858 (*See* DRAINAGE V, IRRIGATION, VI) . . . . . Act1,1858.

MADRAS COURT OF WARDS ACT, 1902 (*See* BOARD OF REVENUE ; COURT OF WARDS, E ; ENDOWMENT, 2 ; PUBLIC OFFICER) Mad.Act1,1902.

MADRAS COURT OF WARDS (AMENDMENT) ACT, 1899 . Mad.Act4,1899.

MADRAS COURT OF WARDS REGULATION, 1804 (*See* BOARD OF REVENUE ; COURT OF WARDS ; LAND-REVENUE, XIII ; MINOR ; MINORITY) . . . . . [1]Mad.Reg.5,1804.

MADRAS DISTRICT LIMITS ACT, 1865 (*See* DISTRICT ; LAND-REVENUE, XIII) . . . . . Mad.Act1,1865.

MADRAS DISTRICT MUNICIPALITIES ACT, 1884 (*See* ENDOWMENT ; MUNICIPALITY, XIV) . . . . . Mad.Act4,1884.

MADRAS DISTRICT MUNICIPALITIES ACT AMENDMENT ACT, $\frac{1897}{1909}$ . . . . . Mad.Act3,1897. Mad.Act5,1909.

MADRAS DISTRICT MUNICIPALITIES (AMENDMENT) ACT, 1899 . . . . . Mad.Act1,1899.

MADRAS DISTRICT POLICE ACT, 1859 (*See* POLICE, I) . Act24,1859.

MADRAS DISTRICT POLICE (AMENDMENT) ACT, 1865 (*See* POLICE, I) . . . . . Mad.Act5,1865.

[1] Rep. except in Scheduled districts, Mad. Act 1, 1902.

MADRAS DISTRICT POLICE AND TOWNS NUISANCES ACT AMENDMENT ACT, 1909	Mad.Act3,1909.
MADRAS ENDOWMENTS AND ESCHEATS REGULATION, 1817 (*See* ENDOWMENT ; ESCHEAT)	Mad.Reg.7,1817.
MADRAS ENFRANCHISED INAMS ACT, 1862 (*See* LAND-REVENUE, XIII)	Mad.Act4,1862.
MADRAS ENFRANCHISED INAMS ACT, 1866 (*See* LAND-REVENUE, XIII)	Mad.Act4,1866.
MADRAS ESTATES LAND ACT, 1908 (*See* IRRIGATION, VI ; LANDLORD AND TENANT, VIII ; VILLAGE)	Mad.Act1,1908.
MADRAS ESTATES LAND ACT AMENDMENT ACT, 1909	Mad.Act4,1909.
MADRAS FOREST ACT, 1882 (*See* FOREST)	Mad.Act5,1882.
MADRAS FOREST (VALIDATION) ACT, 1882 (*See* FOREST, 8)	Act21,1882.
MADRAS GENERAL CLAUSES ACT, 1867 (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES)	Mad.Act1,1867.
MADRAS GENERAL CLAUSES ACT, 1891 (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES)	Mad.Act1,1891.
MADRAS GENERAL CLAUSES (AMENDMENT) ACT, 1896	Mad.Act2,1896.
MADRAS HACKNEY CARRIAGE ACT, 1879 (*See* HACKNEY CARRIAGE)	Mad.Act3,1879.
MADRAS HEREDITARY VILLAGE-OFFICES ACT, 1895 (*See* VILLAGE)	Mad.Act3,1895.
MADRAS HEREDITARY VILLAGE-OFFICES (AMENDMENT) ACT, 1897	Mad.Act2,1897.
MADRAS HILL MUNICIPALITIES ACT, 1907 (*See* MUNICIPALITY, XIV)	Mad.Act2,1907.
MADRAS HINDU WILLS REGULATION, 1829 [*See* ADMINISTRATION OF ESTATES (INDIAN LAW) ; SUCCESSION ; UNCLAIMED PROPERTY]	Mad.Reg.5,1829.
MADRAS IMPARTIBLE ESTATES ACT, 1904 (*See* IMPARTIBLE ESTATE)	Mad.Act2,1904.
MADRAS INAMS ACT, 1869 (*See* LAND-REVENUE, XIII)	Mad.Act8,1869.
MADRAS INLAND CUSTOMS ACT, 1884 [*See* CUSTOMS (INLAND)]	Act6,1844.
" " " (AMENDMENT) ACT, 1893	Mad.Act2,1893.
MADRAS IRRIGATION AND CANAL COMPANY ACT, 1865 (*See* MADRAS IRRIGATION, ETC., COMPANY)	Act30,1865.
" " " " COMPANY'S ACT, 1880 (*See* MADRAS IRRIGATION, ETC., COMPANY)	Act16,1880.
MADRAS IRRIGATION AND CANAL COMPANY.	
Maximum rate chargeable by, for supply of water otherwise than for purposes of irrigation	Act30,1865.
Maximum tolls, fares and rates chargeable by, for navigation and for conveyance of passengers, animals and goods	Act16,1880,preamble,s.2, Sch.
Power of, to make rules as to management, etc., of canal ; penalty for breach of rules ; publication of rules ; power of Local Government to cancel rule	" ss.3to5.
Exhibition of Act, rules, time-table and tariff, under penalty	" ss.6,7.
Place for trial of offences against Act or rule	" s.8.
Saving of prosecutions under other laws	" s.9.

MADRAS IRRIGATION CESS ACT, 1865 (*See* IRRIGATION, VI) . . . Mad.Act7,1865.
MADRAS IRRIGATION CESS (AMENDMENT) ACT, 1900 (*See* IRRIGATION, VI) . . . Mad.Act5,1900.
MADRAS KARNAMS REGULATION, 1802 (*See* VILLAGE) . . . Mad.Reg.29,1802.
MADRAS LAND ENCROACHMENT ACT, 1905 [*See* LAND (INDIAN LAW), H; RIVER; ROAD; SEA] . . . Mad.Act3,1905.
MADRAS LAND REGISTRATION REGULATION, 1802 (*See* REGISTRATION OF LAND) . . . Mad.Reg.26,1802.
MADRAS LAND-REVENUE ASSESSMENT ACT, 1876 (*See* LAND-REVENUE, XIII; REGISTRATION OF LAND) . . . Mad.Act1,1876.
MADRAS LOCAL BOARDS ACT, 1884 (*See* LOCAL SELF-GOVERNMENT, VII; MUNICIPALITY, XIV) . . . Mad.Act5,1884.
MADRAS LOCAL BOARDS ACT (AMENDMENT) ACT, 1900 . . . Mad.Act6,1900.
MADRAS LOCAL BOARDS AND RENT RECOVERY (AMENDMENT) ACT, 1890 . . . Mad.Act3,1890.
MADRAS MOTOR-VEHICLES ACT, 1907 (*See* MOTOR CARS AND CYCLES) . . . Mad.Act1,1907.
MADRAS MUNICIPAL POLICE ACT, 1878 (*See* MUNICIPALITY, XIV, XV) . . . Mad.Act7,1878.
MADRAS NATIVE PUBLIC OFFICERS REGULATION, 1822 (*See* PUBLIC OFFICER) . . . Mad.Reg.7,1822.
MADRAS OFFICIAL SEALS ACT, 1865 (*See* SEAL) . . . Mad.Act6,1865.
MADRAS OUTPORTS LANDING AND SHIPPING FEES ACT, 1885 (*See* PORT) . . . Mad.Act3,1885.
MADRAS PANCHAYATS ACT, 1840 (*See* VILLAGE COURTS) . . . Act8,1840.
MADRAS PARTITION DEEDS (VALIDATION) ACT, 1884 (*See* PARTITION AND UNION OF IMMOVEABLE PROPERTY) . . . Act2,1884.
MADRAS PERMANENT SETTLEMENT REGULATION, 1802 (*See* LANDLORD AND TENANT, VIII; PERMANENT SETTLEMENT; VILLAGE) . . . Mad.Reg.25,1802.
MADRAS PERMANENT SETTLEMENT (INTERPRETATION) REGULATION, 1822 (*See* LANDLORD AND TENANT, VIII) . . . Mad.Reg.4,1822.
MADRAS PIER ACT, 1863 (*See* PORT) . . . Mad.Act5,1863.
MADRAS PIER (AMENDMENT) ACT, 1871 . . . Mad.Act7,1871.
MADRAS PLANTERS LABOUR ACT, 1903 (*See* CONTRACT; LABOUR) . . . Mad.Act1,1903.
MADRAS PORT TRUST ACT, 1905 [*See* CANAL; CUSTOMS (SEA); MERCHANT SHIPPING; MUNICIPALITY, XV; PORT; PORT COMMISSIONERS, ETC.] . . . Mad.Act2,1905.
MADRAS PORTS POLICE ACT, 1881 (*See* POLICE, I) . . . Mad.Act1,1881.
MADRAS PROPRIETARY ESTATES' VILLAGE-SERVICE ACT, 1894 (*See* VILLAGE) . . . Mad.Act2,1894.
MADRAS PROPRIETARY ESTATES AND SURVEY (AMENDMENT) ACT, 1900 . . . Mad.Act4,1900.
MADRAS PUBLIC PROPERTY MALVERSATION ACT, 1837 (*See* PUBLIC OFFICER) . . . Act36,1837.
MADRAS REGISTRATION OF BIRTHS AND DEATHS ACT, 1899 (*See* REGISTRATION OF BIRTHS, ETC.) . . . Mad.Act3,1899.
MADRAS RENT AND REVENUE SALES ACT, 1839 (*See* LANDLORD AND TENANT, VIII; LAND-REVENUE, XIII) . . . Act7,1839.
MADRAS RENT RECOVERY (AMENDMENT) ACT, 1896 . . . Mad.Act1,1896.

MADRAS REVENUE COMMISSIONER ACT, 1849 (*See* LAND-REVENUE, XIII) . . . . . Act10,1849.

MADRAS REVENUE INQUIRIES ACT, 1893 (*See* LAND-REVENUE, XIII; PUBLIC OFFICER) . . . . . Mad.Act5,1893.

MADRAS REVENUE MALVERSATION REGULATION, 1822 (*See* PUBLIC OFFICER) . . . . . Mad.Reg.9,1822.

MADRAS REVENUE MALVERSATION (AMENDMENT) REGULATION, 1823 (*See* PUBLIC OFFICER) . . . . . Mad.Reg.3,1823.

MADRAS REVENUE MALVERSATION (AMENDMENT) REGULATION, 1832 (*See* PUBLIC OFFICER) . . . . . Mad.Reg.3,1832.

MADRAS REVENUE RECOVERY ACT, 1864 (*See* IRRIGATION, VI; LANDLORD AND TENANT, VIII; LAND-REVENUE, XIII) . Mad.Act2,1864.

MADRAS REVENUE RECOVERY (AMENDMENT) ACT, 1884 Mad.Act3,1884.

MADRAS REVENUE RECOVERY (AMENDMENT) ACT, 1897 Mad.Act1,1897.

MADRAS REVENUE RECOVERY AMENDMENT ACT, 1909 . Mad.Act1,1909.

MADRAS REVENUE RECOVERY (MILITARY PROPRIETORS) REGULATION, 1817 (*See* INDIAN MILITARY AND NAVAL FORCES; LAND-REVENUE, XIII) . . . . . Mad.Reg.8,1817.

MADRAS REVENUE SUMMONSES ACT, 1869 (*See* LAND-REVENUE, XIII) . . . . . Mad.Act3,1869.

MADRAS RIVERS CONSERVANCY ACT, 1884 (*See* IRRIGATION, VI; RIVER) . . . . . Mad.Act6,1884.

MADRAS RIVERS CONSERVANCY (AMENDMENT) ACT, 1885 . Mad.Act2,1885.

MADRAS SALE OF MINORS' ESTATES REGULATION, 1831 (*See* COURT OF WARDS, E; LAND-REVENUE, XIII) . . . Mad.Reg.10,1831.

MADRAS SALT ACT, 1889 (*See* SALT) . . . . . Mad.Act4,1889.

MADRAS SATI REGULATION, 1830 (*See* HINDU WIDOW) . Mad.Reg.1,1830.

MADRAS STAMP PENALTIES REGULATION, 1831 (*See* COURT-FEES, 4) . . . . . Mad.Reg.5,1831.

MADRAS STATE OFFENCES REGULATION, 1808 (*See* STATE OFFENCES) . . . . . Mad.Reg.7,1808.

MADRAS STATE PRISONERS REGULATION, 1819 (*See* ATTACHMENT; STATE PRISONER) . . . . . Mad.Reg.2,1819.

MADRAS STEAM-BOILERS AND PRIME-MOVERS, ACT, 1893. (*See* STEAM-BOILERS AND PRIME-MOVERS) . . . . . Mad.Act3,1893.

MADRAS STEAM-BOILERS AND PRIME-MOVERS (AMENDMENT) ACT, $\frac{1904}{1909}$ . . . . . Mad.Act1,1904. Mad.Act7,1909.

MADRAS SUBORDINATE COLLECTORS AND REVENUE MALVERSATION (AMENDMENT) REGULATION, 1828 (*See* LAND-REVENUE, XIII; PUBLIC OFFICER) . . . . Mad.Reg.7,1828.

MADRAS SURVEY AND BOUNDARIES ACT, 1897 (*See* BOUNDARIES AND SURVEY-MARKS; SURVEY OF LAND; VILLAGE) Mad.Act4,1897.

MADRAS UNCOVENANTED OFFICERS' ACT, 1857 (*See* LAND-REVENUE, XIII) . . . . . Act7,1857.

MADRAS UNIVERSITY ACT, 1857 (*See* UNIVERSITY) . . Act27,1857.

MADRAS VILLAGE COURTS ACT, 1889 (*See* LEGAL PRACTITIONER; VILLAGE COURTS) . . . . . Mad.Act1,1889.

MADRAS VILLAGE PANCHAYATS REGULATION, 1816 (*See* VILLAGE COURTS) . . . . . Mad.Reg.5,1816.

MADRAS VILLAGE PANCHAYATS REGULATION AND THE MADRAS VILLAGE COURTS ACT AMENDMENT ACT, 1904 Mad.Act4,1904.

MADRAS VILLAGE POLICE REGULATION, 1821 (*See* VILLAGE) . . . . . Mad.Reg.4,1821.

MADRAS VILLAGE POLICE REGULATION, 1816 [*See* CRIMINAL PROCEDURE (INDIAN); INQUEST; STOLEN PROPERTY; VILLAGE] Mad.Reg.11,1816.

MADRAS VILLAGE LAND DISPUTES REGULATION, 1816 (*See* PANCHAYAT) . . . . . Mad.Reg.12,1816.

MADRAS WILD ELEPHANTS' PRESERVATION ACT, 1873 (*See* ELEPHANT) . . . . . Mad.Act1,1873.

MADRAS UNIVERSITY. *See* UNIVERSITY.

MAGAZINES.

Copyright in. *See* COPYRIGHT, 1.

MAGISTRATE.

Appointment, powers and procedure of. *See* CRIMINAL PROCEDURE (INDIAN).

Cantonment Magistrate; appointment and duties of. *See* CANTONMENT, 1.

MAIL SHIPS ACTS, 1891 AND 1902. [*See* POST OFFICE (ENGLISH LAW)] . . . . . 54-5V.c.31. 2Edw.7,c.36.

MAILS. *See* POST OFFICE (ENGLISH LAW), 1; (INDIAN LAW), 4.

MAJHAHAS TENURES IN CHOTA NAGPUR. *See* LANDLORD AND TENANT, III, B.

MAJORITY ACT (INDIAN), 1875 (*See* MINORITY) . . . Act9,1875.

MALABAR COMPENSATION FOR TENANTS' IMPROVEMENTS ACT, 1899 (*See* LANDLORD AND TENANT, VIII) . Mad.Act1,1900.

MALABAR DISTRICT.

Provisions enacted specially for. *See* ARMS, 4; MARRIAGE, II, C; MURDEROUS OUTRAGES; SUCCESSION 8(*c*).

MALABAR LAND REGISTRATION ACT, 1895 (*See* LAND-REVENUE, XIII; REGISTRATION OF LAND) . . . . Mad.Act3,1896.

MALABAR MARRIAGE ACT, 1896 (*See* MARRIAGE, II; MATRIMONIAL CAUSES, D; SUCCESSION) . . . . . Mad.Act4,1896.

MALABAR MARRIAGE (AMENDMENT) ACT, 1898 . . Mad.Act1,1898.

MALABAR WAR KNIVES ACT, 1854 (*See* ARMS, AMMUNITION AND MILITARY STORES). . . . . Act24,1854.

MALABAR WILLS ACT, 1898 (*See* SUCCESSION) . . . Mad.Act5,1898.

MALICIOUS DAMAGE ACT, 1861[1] (*See* MERCHANT SHIPPING) 24-5V.,c.97.

MAMLATDAR'S COURTS ACT, 1906 . . . . . Bom.Act2,1906.

MAMLATDAR'S COURT.

Bom. Act 2, 1906, extends to whole of Bombay Presidency except City of Bombay and Aden . . . . . Bom.Act2,1906,s.1.

Definitions . . . . . ,, s.3.

Joint Mamlatdar, appointment and jurisdiction of; transfer to and retransfer of cases from . . . . . ,, s.4.

Mamlatdar's Court, power of, to give immediate possession of lands, trees, fisheries, etc., to restore use of water and to issue injunction to restrain disturbance of possession, obstruction of use of water, etc.; period of limitation for suits . . . ,, s.5.

Plaint, attendance of witnesses and procedure in suits, in; penalty for false verification of plaint . . . . . ,, ss.7to19,25.

[1] This short title was given by 59 & 60 Vict., c. 14.

MAMLATDAR'S COURT—*contd.*

Order of and execution; decision of Mamlatdar not to bar civil suit based on title, etc. . . . . Bom.Act2,1906,s.20to22.

Order of Mamlatdar not open to appeal: powers of revision by Collector, High Court and Court of Judicial Commissioner of Sind . . . . . „ ss.23,24.

Power of Collector to transfer suits from one Mamlatdar to another . . . . . „ s.6.

Bar of certain suits . . . . . „ s.26.

MANPUR PARGANA.

Is a Scheduled District . . . . . Act14,1874,s.1,Sch.I,Pt.XII. Act15,1874,s.2,Sch.VI,Pt.XII.

MANUFACTURE defined. *See* WORDS AND PHRASES.

MAPS.

Copyright in. *See* COPYRIGHT, 1.

MARCHING TROOPS.

Duty of local authorities to perform and supply all reasonable services and accommodation in respect of vessels transporting troops, men, horses, baggage, etc., belonging to army, etc., carriages belonging to Government or employed in military service, embarking or disembarking at any port; remuneration Act2,1901,s.4(*2*).

Exemption from tolls; compensation . . . . . „ ss.3to6.

1. Preliminary.

Ben. Regs. 11, 1806, and 6, 1825, declared in force—

throughout Bengal (except Sambalpur District), Eastern Bengal and Agra, except as regards the Scheduled Districts . Act15,1874,ss.6,7.

in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

in the Central Provinces and Sambalpur District (Bengal) (with modifications); modifications rep. in Sambalpur, Act 7, 1905 Act20,1875,s.3,Sch.Pt.A.

in Oudh (with modifications) . . . . . Act18,1876,s.3.

in Ajmere (with modifications) . . . . . Reg.3,1877,s.3,Sch.II.

in Angul District . . . . . Reg.1,1894,s.3.

Short titles given to Ben. Regs. 11, 1806, and 6, 1825 . . Act5,1897,s.4.

Bom. Reg. 22, 1827, ss. 40 to 43, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts . . . . . Act15,1874,s.5,Sch.III.

2. Bengal, etc.

Commanding Officer to give to Collector or Deputy Commissioner notice of arrival and of supplies, boats and temporary bridges required . . . . . Ben.Reg.11,1806,s.2.

Collector or Deputy Commissioner to issue orders to landholders, etc., to provide supplies, boats and bridges . . . . „ s.3(*1*).

Fine for non-compliance with such orders, and procedure for imposing and recovering the same; appeal . . . . Ben.Reg.6,1825,ss.2to5.

Collector or Deputy Commissioner to depute native officer to accompany troops, assist them in obtaining supplies and provide them with means of transport . . . . . Ben.Reg.11,1806,s.3(*1*).

Police-officer to assist in procuring transport, etc. . . . . „ ss.3(*1*),6.

MARCHING TROOPS—*contd.*

2. Bengal, etc.—*contd.*

Supplies to be paid for at current market rates; Commanding Officer to redress grievances on complaint	Ben.Reg.11,1806,s.3(*2*).
Commanding Officer to give certificate as to boats, etc., provided	,, s.4(*1*).
Examination and payment of accounts for supplies, etc.	,, s.4(*2*),(*3*).
Examination and payment of claims for compensation for injury sustained by landholder, etc., from march or encampment of troops	,, s.5.
Report to be made by Collector or Deputy Commissioner to Board of Revenue of complaints of misbehaviour of troops	,, s.7.
Ben Reg. 11, 1806, repealed as to coolies	Ben.Reg.3,1820,s.2. (Aj.)Reg.3,1877,s.3. (C.P.)Act20,1875,s.3. (O.)Act18,1876,s.3.
Supply of provisions and labour for marching troops in Angul District	Reg.1,1894,s.55.

3. Bombay Presidency.

Commanding Officer to give notice to District Magistrate of arrival and of aid required	Bom.Reg.22,1827,s.40.
District Magistrate to provide guides, supplies and transport, if required	,, s.41(*1*).
Payment for supplies, etc.	,, s.41(*2*).
Power of District Magistrate to resort to impressment in emergent cases; payment to be made; report to be made to Local Government	,, s.42.
Examination and payment of claims for compensation for injury sustained by landholder, etc., from march or encampment of troops	,, s.43.

4. Burma.

Duty of headman of ward or village or village police to furnish, on payment, guides, supplies, and means of transport	Bur.Act3,1907,s.7(*1*)(*k*). Bur.Act6,1907,s.8(*g*).

5. Punjab and North-West Frontier Province.

P. Act 1, 1903, extends to the Punjab	[1]P.Act1,1903,s.1.
Definitions	,, s.2.
Transport Registration Officers; appointment, status, etc., of	,, ss.3,4.
,, ,, ,, ,, enumeration of animals by, assistance, etc., to be given to, by landowners, assignees of land-revenue, etc.	,, ss.5to8.
,, ,, ,, ,, preparation of register and valuation of animals by; branding of animals with consent of owner agreeing to sell if required: effect of agreement	,, ss.9,10.
Acquisition of animals on occasion of mobilization of troops; declaration of requirement; award, etc., apportionment and payment of compensation; appeal to Collector	,, ss.11to24.

[1] P. Act 1, 1903, has been extended to N.-W. Fr. by notification under Act 14, 1874.

MARCHING TROOPS—*concld.*

5. Punjab and North-West Frontier Province—*contd.*

Compulsory hire of animals for purposes of military transport within India, exemption of branded animals; acquisition of animals if taken beyond India; compensation	[1]P.Act1,1903,ss.25,31(2)(e).	
Service of notices	,,	s.27.
Penalties	,,	ss.28,29.
Prosecution, sanction of Local Government required for; magistrates before whom prosecution may be instituted	,,	s.30.
Power to make rules	,,	s.31.
Provisions of Act to apply to vehicles, and to gear and equipment of animals	,,	s.26.

MARKETS.

Not to be established without written permission of District Magistrate; penalty	Bom.Act4,1862,s.1.	
Application for such permission; procedure to be followed by Magistrate before granting it	,,	ss.2,3.
Order by Magistrate granting or refusing such permission; appeal from order; penalty for breach of order	,,	ss.4,6,7
Act not to extend to islands of Bombay and Kolaba	,,	s.8.
,, ,, apply to religious assemblies	,,	s.9.
,, ,, restrict Government's powers of control	,,	s.10.

To be under authority of Local Self-government Boards

See under LOCAL SELF-GOVERNMENT (*sub-heading* "3. Duties and Powers of Local Authorities").

Control over, in municipalities:

See under MUNICIPALITY (*sub-heading* "The Public Health, Safety and Convenience").

Control over, in Aden. *See* ADEN, 3.

See also BRITISH BALUCHISTAN, II, 6 (*k*).

MARKS. *See* MERCHANDISE MARKS.

MARRIAGE.

1859. Act 1, s. 105 (8) (Merchant Shipping).
1865. Act 15 (Marriage of Parsis).
1872. Act 3 (Marriage of persons other than Christians, Parsis, Hindus, etc.).
,, Act 15 (Marriage of Christians).
,, Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Act 15, s. 3 (Laws Local Extent).
,, Reg. 9, s. 3 (Laws, Arakan Hills).
1876. Reg. 3, s. 28 (Marriage of Convicts, Andamans).
1879. 42-3 V. c. 29 (Navy).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1891. Act 2 (Marriage of Christians).
1892. 55-6 V. c. 23 (Foreign Countries).
1892. Act 2 (Validation of Marriage of Christians).
1894. 57-8 V. c. 60, ss. 240, 253 (Merchant Shipping).
,, Reg. 1, s. 3 (Laws, Angul).
[2]1895. Act 17 (Validation of Marriage of Christians).
1896. Mad. Act 4 (Marriage of Malabar Hindus).
1898. Act 13, s. 4 (Laws, Burma).
1903. Act 14 (Foreign Marriage).
1906. 6 Edw. 7, c. 30 (Deceased Wife's Sister, Colonial Marriage).
,, 6 Edw. 7, s. 40 (Marriage with foreigner abroad).
1909. Act 7 (Sikhs, Anand Marriage).

[1] P. Act 1, 1903, has been extended to N.-W. Fr. by notification under Act 14, 1874.
[2] Repealed by Act 11, 1901.

MARRIAGE—*contd.*

I.—ENGLISH LAW . . . . . Of British Subjects out of United Kingdom.

II.—INDIAN LAW.

GENERALLY . . . . . .

A.—CHRISTIANS . . . . . 1. Preliminary. 2. Solemnization. 3. Registration. 4. Miscellaneous.
B.—PARSIS . . . . . .

C.—SIKHS.

D.—CERTAIN MALABAR HINDUS . . 1. Preliminary. 2. Registration.

E.—HINDU WIDOWS.

F.—PERSONS OTHER THAN CHRISTIANS, JEWS, HINDUS, MUHAMMADANS, PARSIS, BUDDHISTS, SIKHS AND JAINAS.

G.—CONVICTS IN ANDAMANS.

I.—ENGLISH LAW.

Of British Subjects out of United Kingdom.

(*a*) BY MARRIAGE OFFICER IN FOREIGN COUNTRY.

Marriage officers and their districts	55-6V.c.23	ss.11,12,24
Power to make marriage regulations ; forms	,,	s.21.
Notice to marriage officer of intended marriage . . .	,,	ss.2to4.
Residence within district necessary of intended marriage . .	,,	s.2.
Copies of notice to be suspended in office	,,	s.3.
New notice after three months, or after decision as to caveat .	,,	s.6.
Consent and power to forbid	,,	s.4.
Oath before marriage	,,	s.7.
Caveat ; entry of, and transmission of, to Secretary of State for reference to Registrar General in case of doubt	,,	s.5.
Power to refuse solemnization of marriage where inconsistent with international law	,,	s.19.
Appeal to Secretary of State on refusal by marriage officer to celebrate	,,	ss.5(*3*),(*4*),19.
Solemnization in presence of marriage officer and two witnesses, according to rites of Church of England or other form . .	,,	ss.3,11,12,24.
Marriage officer may ask particulars	,,	s.5(*5*).
Fees to marriage officer	,,	ss.9(*1*),20.
Validity of marriages	,,	s.1.
Proof of residence, consent, etc., not required, nor contrary evidence admitted after marriage	,,	s.13.
False declaration or notice :		
Person making guilty of perjury	,,	ss.15,16.
Forfeiture, etc., where marriage obtained by	,,	s.14.
Notice of marriage intended to be solemnized in India under 55-6 V. c. 23		Act14,1903,s.2.

MARRIAGE—*contd.*

I.—ENGLISH LAW—*contd.*

(*b*) VARIOUS.

Validity of marriages solemnized by chaplain or officer within lines of British army	Act14,1903,s.22.
Her Majesty's ships on foreign stations; solemnization of marriages on board	,, s.12.
Merchant ships; marriages on board to be entered in log, etc.	57-8V.c.60,ss.240(*6*),253 (*1*)(ix).
Confirmation of certain marriages celebrated on board Her Majesty's ships	42-3V.c.29.
Royal Family; Act not to apply to	55-6V.c.23,s.23.
Deceased wife's sister, marriage within British possessions declared legal in certain cases	6Edw.7,c.30.
Marriages of British subjects with foreigners abroad	6Edw.7,c.40.
Registration and proof of marriages abroad. *See* REGISTRATION OF BIRTHS, ETC., A. 5.	

II.—INDIAN LAW.

GENERALLY.

Entry of marriages in official log	Act1,1859,s.105(*8*).
Registration of marriages. *See* REGISTRATION OF BIRTHS, ETC., A; B, **2**. *See also below*, A, **3**; B, **3**; C, **2**.	
Effect of marriage—	
on civil suit. *See* CIVIL PROCEDURE, **3**.	
on succession. *See* SUCCESSION, **4**, **8** (*c*).	
Punishment for offences relating to marriage. *See* CRIMINAL LAW (INDIAN), **20**.	
Dissolution of marriage, etc. *See* MATRIMONIAL CAUSES, A, **3**; B, **2**; C.	

A.—CHRISTIANS.

1. Preliminary.

Act 15, 1872, extends to whole of British India and, as regards Christian British subjects, to Native States in alliance with Her Majesty	Act15,1872,s.1.
,, ,, declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3,Sch.
the Arakan Hill District	Reg.9,1874,s.3.
Upper Burma generally (except the Shan States)	Act13,1898,s.4,Sch.I.
British Baluchistan	Reg.1,1890,s.3.
Definitions	Act15,1872,s.3.

2. Solemnization.

By whom alone marriage may be solemnized	Act15,1872,ss.4,5.
Grant and revocation of licenses to solemnize marriages	,, ss.6,9.
Validation of certain licenses granted under former Acts	Act2,1891,s.1(*2*),(*3*).
Registrars; appointment, etc., of	Act15,1872,ss.7,8.
Time and place for	,, ss.10,11.

MARRIAGE—*contd.*

II.—INDIAN LAW—*contd.*

A.—CHRISTIANS—*contd.*

2. Solemnization—*contd.*

By licensed minister of religion :

Notice of intended marriage	Act 15, 1872, ss. 12 to 16, Sch. I.
Certificate of receipt of such notice	" ss. 17 to 24, Sch. II.
Consent of father or guardian	" ss. 18 to 22.
Form of, and witnesses to, marriage	" s. 25.
Certificate void if marriage not solemnized within two months	" s. 26.
Validation of certain marriages solemnized in Bangalore	[1] Act 17, 1895.
Native Christians (other than Roman Catholics) :	
Marriages of, to be certified if certain conditions fulfilled, without the preliminary notice being given	Act 15, 1872, ss. 60, 61, 65.
Validation of certain marriages between persons only one of whom was a Native Christian, and penalty for solemnizing such marriages in future	Act 2, 1892.

By or in presence of Registrar :

Notice of intended marriage	Act 15, 1872, ss. 38 to 40, Sch. I.
Certificate of receipt of such notice	" ss. 41 to 45, 50, Sch. II.
Oath as to absence of impediment and as to abode and consent	" s. 42.
Consent of father or guardian	" ss. 42, 44, 45, 48.
Petition to Court for order for marriage within fourteen days	" s. 43.
" " where consent of father or guardian not obtainable	" s. 45.
" " or Governor General in Council when Registrar refuses certificate	" ss. 46, 47.
" " or Governor General in Council when Registrar doubts authority of person forbidding marriage	" s. 48.
Liability for frivolous protest against issue of certificate	" s. 49.
Form of, and witnesses to, marriage	" s. 51.
Certificate void if marriage not solemnized within two months	" s. 52.
Native Christians ; Registrar to ascertain that they understand notice, certificate and declarations	" ss. 57, 58.
Marriage notice-book ; keeping and inspection of	" s. 40.

3. Registration.

Of marriages solemnized by minister of religion :

Registration by minister, and transmission of returns to Registrar General of Births, Deaths and Marriages	Act 15, 1872, ss. 27 to 37, 62 to 65, Schs. III, IV; s. 62.

Of marriages solemnized by or in presence of Registrar :

Registration by Registrar, and transmission of returns to Registrar General of Births, Deaths and Marriages, etc.	" ss. 53 to 56, 59, Sch. IV.
Correction of errors in registration	" s. 78.

[1] Repealed by Act 11, 1901.

MARRIAGE—*contd.*

I.—INDIAN LAW—*contd.*

A.—CHRISTIANS—*concld.*

3. Registration—*contd.*

Searches, and copies of entries	Act15,1872,s.79.	
„ „ „ fees for	„	ss.82to84.
Certified copy of entry to be evidence	„	s.80.
Transmission of certificates to Registrar General in England	„	s.81.
Power to make rules	„	ss.83,84.

See also REGISTRATION OF BIRTHS, ETC.

4. Miscellaneous.

Penalties for false oath, declaration, etc., for procuring marriage:	„	s.66.
„ for forbidding, by false personation, issue of certificate	„	s.67.
„ for unlawful solemnization, etc.	„	ss.68to74.
„ for destroying or falsifying register-book	„	s.75.
Limitation of prosecutions	„	s.76.
Certain irregularities not to invalidate marriage	„	s.77.
Certified copy of certificate, etc., to be evidence	„	s.80.
Fees	„	ss.82to84.
Power to make rules	„	ss.83,84.
„ to declare who shall be deemed to be District Judge	„	s.85.
Delegation of functions of Governor General in Council	„	s.86.
Act not to apply to marriages by Consuls, etc.	„	s.87.
„ „ validate marriage within prohibited degrees	„	s.88.

B.—PARSIS.

1. Preliminary.

Act 15, 1865(the Parsi Marriage and Divorce Act, 1865), declared in force throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.	
Definitions	Act15,1865,s.2.	

2. Solemnization.

Requisites to validity—(1) no near relationship; (2) solemnization by Parsi priest in presence of two Parsi witnesses; (3) consent of father or guardian in case of minor	„	s.3.
Bigamy; prohibition and punishment of	„	ss.4,5,9.
Certificate of marriage to be signed; penalty	„	ss.6,10,11, Sch.
„ „ penalty for making false certificate	„	s.12.

3. Registration.

Registrar; appointment of	„	s.7.
„ to register marriages; penalty	„	ss.6,13.
Inspection of, and grant of extracts from, register Register to be evidence	„	s.8.
Penalty for altering, etc., register	„	s.14.
Transmission of copies of certificates to Registrar General	„	s.8A.

See also REGISTRATION OF BIRTHS, ETC.

MARRIAGE—*contd.*

B.—PARSIS—*contd.*

4. Miscellaneous.

Cognizance of offences	Act15,1865,ss.46,47.
Recovery of fines	,, ss.48to50.
Power to confer powers of Local Government	,, s.52.

C.—SIKHS.

Validity of Anand marriages among	Act7.1909.

D.—CERTAIN MALABAR HINDUS.

1. Preliminary.

Mad. Act 4, 1896, applies to Hindus domiciled in Madras Presidency following the Marumakkatayam or the Aliyasantana Law of Inheritance	Mad.Act4,1896,s.1.
Definitions	,, s.2.

2. Registration.

Registration of sambandham as a marriage :	
Conditions subject to which registration may be made	,, s.3.
Registrar ; appointment of	,, s.4.
,, notice to be given to ; notices how dealt with	,, ss.5to7,Form A.
,, fees to	,, s.14.
,, attendance by, at residence of parties	,, s.13.
Objections to registration, how to be dealt with	,, ss.8to10.
Declaration by parties and witnesses	,, s.11,Form.B.
When registration may be made	,, ss.8,11.
Marriage notice-book ; keeping and inspection of	,, s.6.
Marriage Certificate book :	
Entry of certificate of marriage in	,, s.12,FormC.
Inspection of, and grant of extracts from	,, s.14.
Marriage when void	,, ss.15,16.
Service of notices	,, s.25.

E.—HINDU WIDOWS.

See HINDU WIDOWS.

F.—PERSONS OTHER THAN CHRISTIANS, JEWS, HINDUS, MUHAMMADANS, PARSIS, BUDDHISTS, SIKHS AND JAINAS.

Act 3, 1872, extends to whole of British India	Act3,1872,s.1.
,, ,, declared in force in—	
the Santhál Parganas	Reg.3,1872 s 3
British Baluchistan	Reg.1,1890,s.3.
Angul District	Reg.1,1894 s 3
Conditions as to celibacy, age, consent of guardian and relationship	Act3,1872s.2.

MARRIAGE—*concld.*

II.—INDIAN LAW—*concld.*

F.—PERSONS OTHER THAN CHRISTIANS, JEWS, HINDUS, MUHAMMADANS, PARSIS, BUDDHISTS, SIKHS AND JAINAS—*contd.*

Registrar : appointment of	Act3,1872,s.3.
„ notice to	„ s.4,Sch.I.
„ fees to	„ s.14.
Objections to marriage, how to be dealt with	„ ss.6to9.
Solemnization of marriage by registrar	„ ss.6to8,10to 12,Sch.II.
Marriage notice-book ; keeping and inspection of	„ s.5.
Marriage Certificate book :	
Entry of certificate of marriage in	„ s.13,Sch.III.
Transmission of copies of entries in, to Registrar General of Births, Deaths and Marriages	„ s.13A.
Inspection of, and grant of extracts from	„ s.14.
Penalty on married person re-marrying under Act	„ s.15.
„ for bigamy after marriage under Act	„ s.16.
„ for making, etc., false declaration or certificate	„ s.21.
Application of Act 4, 1869 (Divorce), to marriages contracted under Act 3, 1872	„ s.17.
Application of Act 3, 1872, to issue of persons married thereunder	„ s.18.
Act 3, 1872, not to affect validity of other marriages or modes of marriage	„ s.19.

G.—CONVICTS IN ANDAMANS.

Special requirements for validity of marriage of	Reg.3,1876,s.28.
MARRIAGE WITH FOREIGNERS ACT, 1906 (*See* MARRIAGE, I)	6Edw.7,c.40.
MARRIAGES VALIDATION ACT, 1892 (*See* MARRIAGE, I)	Act2,1892.

MARRIED WOMAN.

1. Preliminary.

Act 3, 1874, extends to whole of British India and, as regards British subjects, to Indian States in alliance with Her Majesty	Act3,1874,s.2.
„ „ declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3,Sch.
the Arakan Hill District	Reg.9,1874,s.3.
„ „ in Upper Burma except Shan States	Act13,1898,s.4,Sch.I.
„ „ does not apply where wife or husband is Hindu, Muhammadan, Buddhist, Sikh or Jainá	Act3,1874,s.2.
„ „ power to exempt other races, sects or tribes from	

2. Property.

Her earnings to be her separate property	„ s.4.
May effect policy of insurance independently of husband	„ s.5.
Policy of insurance effected by husband for benefit of wife or children	„ s.6.
Legal proceedings by or against her	„ ss.7,8.
Husband not liable for her ante-nuptial debts	„ s.9.
Rights of married woman to property, previous to passing of Naturalization Act, 1870, not affected thereby	35-6V.c.39,s.3.

MARRIED WOMAN—*contd.*

2. Property—*contd.*

Conveyance by married woman in cases governed by English law — Act 31, 1854, ss. 2 to 12.
Deposits made by married woman in Government Savings Bank may be paid to her . . . . . — Act 5, 1873, s. 13.
Power of married woman to give power-of-attorney . . . — Act 7, 1882, s. 5.

3. Miscellaneous.

National status of married woman . . . . . — 33-4 V. c. 14, s. 10.
Maintenance of married woman under order of Magistrate. *See* CRIMINAL PROCEDURE (INDIAN), 11 (4).
See also DOWER; HINDU WIDOW; INSOLVENCY, A, 4.

MARRIED WOMEN'S PROPERTY ACT, 1874 (*See* MARRIED WOMAN; OFFICIAL TRUSTEE; SUCCESSION) . . . . — Act 3, 1874.

MARTIAL LAW.
Power of Governor General in Council to establish, in time of war or rebellion. *See* STATE OFFENCES.

MASTER defined. *See* WORDS AND PHRASES.
See MERCHANT SHIPPING, 2.

MATADARS ACT, 1887 [*See* VILLAGE, B, 1 (*b*)] — Bom. Act 6, 1887.

MATRIMONIAL CAUSES.
1820. 1 G. 4, c. 101 (Divorce in England).
1865. Act 15 (Divorce, etc., of Parsis).
1866. Act 21 (Dissolution of Marriages of Native Converts to Christianity).
1869. Act 4 (Divorce, etc., of Christians).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Act 15, s. 3 (Laws Local Extent).
" Reg. 9, s. 3 (Laws, Arakan Hills).
1879. Act 13, s. 27 (Courts, Oudh).
1884. Act 18, s. 23 (Courts, Punjab).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1894. Reg. 1, s. 3 (Laws, Angul).
1896. Mad. Act 4, ss. 1, 17 to 22 (Divorce, etc., of certain Malabar Hindus)
" Reg. 1, s. 10 (*d*) (Civil Courts, Upper Burma).
" Reg. 9, s. 7 (*3*) (Civil Justice, British Baluchistán).
1898. Act 13, s. 4 (Laws, Burma).
1900. Act 6, s. 25 (*d*) (Courts, Lower Burma).
1901. Reg. 7, ss. 6 (*1*) (*c*), 53 (*a*) (Laws, N.-W. Fr.).
1904. Act 2, s. 13 (*1*) (*d*) (Courts, Central Provinces).
1908. Act 9, s. 29 (Limitation).

A.—CHRISTIANS GENERALLY . . . 1. Preliminary. 2. Jurisdiction. 3. Suits, etc. 4. Miscellaneous

B.—NATIVE CONVERTS TO CHRISTIANITY. 1. Preliminary. 2. Suits. 3. Miscellaneous.

C.—PARSIS . . . . . 1. Preliminary. 2. Courts. 3. Suits. 4. Miscellaneous.

D.—CERTAIN MALABAR HINDUS . .

A.—CHRISTIANS GENERALLY.

1. Preliminary.

Act 4, 1869, extends to whole of British India and, as regards British subjects, to Indian States in alliance with Her Majesty — Act 4, 1869, s. 2.

MATRIMONIAL CAUSES—*contd.*

A.—CHRISTIANS GENERALLY—*contd.*

1. Preliminary—*contd.*

Act 4, 1869, declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3.Sch.
the Arakan Hill District	Reg.9,1874,s.3.
Upper Burma generally (except the Shan States)	Act13,1898,s.4,Sch.I.
British Baluchistan	Reg.1,1890,s.3.
Angul District	Reg.1,1894,s.3.
Courts may grant relief under Act 4, 1869, only where petitioner is professed Christian and resides in India	Act4,1869,s.2.
What Courts to be "High Court" for purposes of Act 4, 1869	„ s.3(*1*). Reg.9,1896,s.7(*3*).
Who to be "District Judge" for purposes of Act 4, 1869—	
generally	Act4,1869,s.3(*2*).
in British Baluchistan	Reg.9,1896,s.7(*3*).
in Lower Burma	Act6,1900,s.25(*d*).
in Upper Burma	Reg.1,1896,s.10(*d*)(sub. Reg.8,1900).
in Central Provinces	Act2,1904,s.13(*1*)(*d*).
in N.-W. Fr. Province	Reg.7,1901,s.53(*a*).
in Oudh	Act13,1879,s.27.
in Punjab	Act18,1884,s.23(*a*).
Other definitions	Act4,1869,s.3(*3*)to(*10*).

2. Jurisdiction.

Matrimonial jurisdiction of High Courts to be exercised by them and by District Courts subject to Act 4, 1869, but grant of marriage-licenses not affected	Act4,1869,s.4.
Courts to act on principles of English Divorce Court	„ s.7.
Transfer of proceedings to, and reference to, High Court	„ ss.8,9.

3. Suits, etc.

For dissolution of marriage	Act4,1869,ss,2,10to17.
For decree of nullity of marriage	„ ss.2,18to20.
„ „ rights of children	„ s.21.
For judicial separation	„ ss.22,23.
„ „ „ rights and position of wife as to property, contracts, etc.	„ ss.24,25.
„ „ „ reversal of	„ s.26.
For restitution of conjugal rights	„ ss.32,33.
Bar to suit for divorce a *mensâ et toro*	„ s.22
„ „ for criminal conversation	„ s.61.
Order for protection of wife's separate property, when she is deserted by her husband	„ ss.27to31.
Payment of damages and costs by adulterer; settlement of such damages on wife or children	„ ss.34,35,39.
Alimony	„ ss 36to38.

MATRIMONIAL CAUSES—*contd.*

A.—CHRISTIANS GENERALLY—*concld.*

3. Suits, etc.—*contd.*

Settlement of adulterous wife's property for benefit of husband and children	Act4,1869,s.39.
Diversion of marriage settlements by Court for benefit of parties and children	,, s.40.
Orders for custody, etc., of children	,, ss.41to44.
Code of Civil Procedure applied	,, s.45.
Forms	,, s.46,Sch.
Petitions ; contents of, and verification of	,, s.47.
,, service of	,, s.50.
Who to sue on behalf of lunatic or minor	,, ss.48,49.
Evidence ; how to be taken	,, s.51.
,, husband and wife when compellable to give	,, s.52.
Hearing *in camera*, at discretion of Court	,, s.53.
Adjournments	,, s.54.
Enforcement of decrees and orders	,, s.55.
Appeals	,, ss.55,56.
Indian Limitation Act, 1908, not to apply to suits under Act 4, 1869	Act9,1908,s.29(2).

4. Miscellaneous.

Liberty to parties to marry again	Act4,1869,s.57.
English clergyman not compelled to solemnize marriage of person divorced for adultery, but must permit another clergyman to use his church for the purpose	,, ss.58,59.
Validation of dealings with wife under decree for judicial separation or under order, to protect her property	,, s.60.
Power of High Court to make rules	,, s.62.
Taking of evidence in India for bill of divorce in England	16.4.c.101.

B.—NATIVE CONVERTS TO CHRISTIANITY.

1. Preliminary.

Act 21, 1866, extends to whole of British India	Act21,1866,s.35.
,, ,, declared in force—	
throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
in the Santhál Parganas	Reg.3,1872,s.3.Sch.
in the Arakan Hill District	Reg.9,1874,s.3.
Definitions	Act21,1866.s.3.

2. Suits.

If native husband/wife converted to Christianity, and native wife/husband in consequence deserts or repudiates him/her for six months, he/she may sue her/him for conjugal society	Act21,1866,ss.4,5.
What Court to have jurisdiction	,, s.6.
Petition ; form, verification, amendment and service of	,, ss.7,8, Sch.I.

MATRIMONIAL CAUSES—*contd.*

B.—NATIVE CONVERTS TO CHRISTIANITY—*contd.*

2. Suits—*contd.*

Citation to respondent	Act21,1866,ss.8to11, Schs.II,III.	
Points to be proved on appearance of petitioner	,,	s.12.
Interrogation of respondent ; adjournment for a year	,,	ss.13to17.
Commission for examination of parties	,,	s.20.
Proof of marriage and desertion or repudiation	,,	s.21.
Application of portions of Code of Civil Procedure	,,	ss.10,20,22.
Dismissal and revival of suit	,,	ss.23to26.
Decree for dissolution of marriage	,,	ss.16to18,24.
Alimony	,,	s.28.
Rights of children	,,	s.27.
No appeal ; reference to High Court	,,	ss.29to33.

3. Miscellaneous.

Liberty to parties to marry again ; right of minister to refuse to solemnize marriage	,,	s.19.
Act 21, 1866, not to invalidate Roman Catholic marriages	,,	s.34.

C.—PARSIS.

1. Preliminary.

Act 15, 1865, declared in force throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.	
Definitions	Act15,1865,s.2.	

2. Courts.

Parsi Chief Matrimonial Courts and Parsi District Matrimonial Courts :		
Constitution of	Act15,1865,ss.15to17.	
Judge of	,,	ss.16,17.
Delegates of	,,	ss.16,17,21to 24.
Local limits of jurisdiction of	,,	ss.16to19.
Seal of	,,	s.20.
Who may practise in	,,	s.25.
In which Courts suits to be brought	,,	s.26

3. Suits.

For decree of nullity	,,	ss.27,28.
,, ,, of dissolution, in case of absence	,,	s.29.
,, divorce or judicial separation : grounds for decree ; alimony	,,	ss.30to35.
,, restitution of conjugal rights	,,	s.36.
Bar to suits to enforce marriage or contract connected with marriage when husband less than 16 or wife less than 14	,,	s.37.
Hearing *in camera*, at request of either party	,,	s.38.
Code of Civil Procedure applied	,,	s.40.
Functions of Judge and delegates, respectively	,,	s.41.

MATRIMONIAL CAUSES—*concld.*

C.—PARSIS—*contd.*

3. Suits—*contd.*

Appeal to High Court	Act15,1865,s.42.	
Children; custody and maintenance of	,,	s.44.
,, settlement of wife's property for benefit of	,,	s.45.

4. Miscellaneous.

Liberty to parties to marry again	,,	s.43.
Power of High Court to make rules	,,	s.51.
,, to confer powers of Local Government	,,	s.52.

C.—CERTAIN MALABAR HINDUS.

Mad. Act 4, 1896, applies to Hindus domiciled in Madras Presidency following the Marumakkatayam or the Aliyasantana Law of Inheritance	Mad.Act4,1896,s.1.	
Right of wife and children to maintenance	,,	s.17.
Guardianship of wife and children	,,	s.18.
Divorce: suit for; alimony	,,	ss.19to22.

MEASUREMENT OF SHIPS. *See* MERCHANT SHIPPING, 1 (*d*).

MEASURES. *See* WEIGHTS AND MEASURES.

MEASURES OF LENGTH ACT, 1889 (*See* WEIGHTS AND MEASURES)	Act2,1889.	
MEDICAL ACT, 1886 (*See* MEDICAL PRACTITIONER)	49-50V.c.48.	
,, ,, (1886) AMENDMENT ACT, 1905 (*See* MEDICAL PRACTITIONER)	5Edw.7,c.14.	

MEDICAL PRACTITIONER.

Colonial and Foreign Practitioners.

Registration in England of practitioners with recognised diploma	49-50V.c.48,ss.11,12,13 (*4*).	
Appeal to Privy Council from refusal of General Council to recognise diploma	,,	s.13.
Separate list of colonial and foreign practitioners in register; addition of colonial or foreign titles	,,	ss.14,15.
Addition of certain foreign medical degrees in register	,,	s.16.
Power by Order in Council to define British Possessions and foreign countries to which Act applies	,,	s.17.
Colonial practitioner entitled to serve as medical officer in ship registered in colony	,,	s.18.
Port of a British possession under a local legislature may be declared to be a separate British possession for the purposes of the Medical Act, 1886	5Edw.7,c.14.	

MEHWASSI CHIEFS.

Certain villages belonging to, are Scheduled Districts	Act14,1874,s.1,Sch.I, Pt.II.	
	Act15,1874,s.2,Sch.VI, Pt.II.	

MEMBER OF COUNCIL.

Of Secretary of State.	*See* GOVERNMENT OF INDIA, 2 (*a*).
Of Governor General.	,, ,, ,, 2 (*b*).
Of Governor or Lieutenant-Governor.	,, ,, ,, 2 (*c*).

MERCHANDISE MARKS ACT (INDIAN), 1889	Act4,1889.
MERCHANDISE MARKS.	
Forfeiture of foreign manufactures with British marks	39-40V.c.36,s.153.
Act 4, 1889, declared in force in Upper Burma except Shan States	Act13,1898,s.4,Sch.I.
Trade-mark defined	Act4,1889,s.3(I.P.C.,s. 478).
„ false; penalty for using	„ s.3(I.P.C.,ss. 480,482).
„ penalty for counterfeiting, etc.	„ s.3(I.P.C.,ss. 483,485).
„ counterfeit; penalty for selling, etc., goods having	„ s.3(I.P.C.,s.486).
Property-mark defined	„ s.3(I.P.C.,s. 479).
„ false; penalty for using	„ s.3(I.P.C.,ss. 481,482).
„ penalty for counterfeiting, etc.	„ s.3(I.P.C.,ss. 483to485).
„ counterfeit; penalty for selling, etc., goods having	„ s.3(I.P.C., s.486).
„ penalty for tampering with	„ s.3(I.P.C.,s.489).
False mark; penalty for making, on goods, or for using such mark	„ s.3(I.P.C.,ss. 487,488).
Trade description and false trade description:	
Definitions	„ ss.2,4,5.
Penalty for applying false description, or selling goods to which false description applied	„ ss.6,7. Bom.Act5,1878,s.46. Mad.Act1,1886,s.57.
Prohibition of importation of goods bearing false marks	Act8,1878,s.18. Act4,1889,s.19.
Detention and confiscation of such goods	Act8,1878,s.19A.
Stamping of length on piece-goods	Act4,1889,ss.12,19. Act8,1878,s.18.
Acquittal where contravention of the law relating to marks or descriptions was unintentional	Act4,1889,s.8.
Forfeiture of goods in respect of which offence committed; appeal	„ s.9.
Evidence of origin of goods imported by sea	„ s.13.
Costs of prosecutions and defence	„ s.14.
Limitation of prosecutions	„ s.15.
Power to issue instructions as to administration of Act	„ s.16.
Implied warranty on sale of marked goods	„ s.17.
Savings as to proceedings under other laws and prosecution of servants	„ s.18.
Sampling	„ s.20.
Non-disclosure of source of information as to commission of offence	„ s.21.
Punishment of abetment in British India of acts done out of British India	„ s.22.
MERCHANT SEAMEN. *See* MERCHANT SHIPPING, 2.	
MERCHANT SHIPPING ACT, 1894 (*See* ALIEN; COASTING TRADE; DEBT; GOVERNMENT OF INDIA; MARRIAGE, I; MERCHANT SHIPPING; NAVY; REGISTRATION OF BIRTHS, ETC.; SEA; TRUST; WEIGHTS AND MEASURES)	57-8V.c.60.

MERCHANT SHIPPING ACT, 1897 (*See* MERCHANT SHIPPING) . 60-1V.c.59.

" " " 1906 (*See* MERCHANT SHIPPING; SEA) . . . . . 6Edw.7,c.48.

" " " 1907 (*See* MERCHANT SHIPPING) . 7Edw.7,c.52.

MERCHANT SHIPPING (LIABILITY OF SHIP-OWNERS) ACT, 1898 (*See* MERCHANT SHIPPING) . . . . . 61-2V.c.14.

MERCHANT SHIPPING (LIABILITY OF SHIP-OWNERS AND OTHERS) ACT, 1900 (*See* MERCHANT SHIPPING) . . 63-4V.c.32.

MERCHANT SHIPPING (MERCANTILE MARINE FUND) ACT, 1898 (*See* MERCHANT SHIPPING; PUBLIC WORKS) . . 61-2V.c.44.

MERCHANT SHIPPING.

1823. 4 G. 4, c. 80, ss. 25, 26, 28, 31, 32 (Lascars).
1825. 6 G. 4, c. 78, s. 9 (Hoisting flag in case of plague, etc.).
1838. Act 19 (Coasting and fishing vessels and harbour craft, Bombay Presidency).
1841. Act 10 (Registration; Passes for ships of Native States).
1849. 12-3 V. c. 25 (Desertion).
1850. 13-4 V. c. 26 (Salvage).
" Act 5 (Coasting trade).
" Act 11 (Registration; Passes for ships of Native States).
1853. 16-7 V. c. 107, s. 229 (Coasting trade).
1859. Act 1 (Merchant Seamen).
" Act 12 (Trial of Pilots, Calcutta).
1861. 24-5 V. c. 97, ss. 42, 43, 56 (Malicious Injury).
1864. 27-8 V. c. 25, ss. 40, 41, 46 (Convoy Salvage).
" Bom. Act 2, s. 15 (Life-saving appliances).
1866. 29-30 V. c 109, s. 31 (Convoy).
" Ben. Act 4, s. 42 (Deserters, Calcutta).
1874. Act 15, ss. 3, 5 (Laws Local Extent).
1876. 39-40 V. c. 20, s. 2 (Portuguese Deserters).
" Act 13 (Merchant Seamen).
1879. Act 9 (Burma Coast Lights).
" Bom. Act 6, s. 72 (Pilots, Bombay Port)
1880. Act 7. (Safety; Ship-surveyors; Distressed Seamen; Wreck).
1881. 44-5 V. c. 69, s. 27 (Fugitive Offenders).
1883. Act 5 (Casualties; Officers' Certificates; Agreements; Distressed Seamen).
" Act 12 (Pilots, Lower Burma).
1884. Act 7 (Steam-ships).
1885. Act 12 (Passengers).
1886. Bom. Act 6, s. 55 (Pilots, Karachi).
1887. Act 10 (Native Passenger Ships).
" Ben. Act 4, s. 18 (Pilots, Chittagong).
" Bom. Act 2, ss. 10 to 16 (Muhammadan Pilgrims to the Hedjaz).
1888. Bom. Act 5, s. 52 (Pilots, Aden).
" Mad. Act 3, s. 70 (Deserters, Madras City).
1890. 53-4 V. c. 37, s. 5, Sch. I (Foreign Jurisdiction).
1891. 54-5 V. c. 50, s. 1 (Affidavits).
" Act 6 (Amendments).
1894. 57-8 V. c. 60 (Consolidation).
" Act 15 (Validation of Bombay certificates to engineers).
1895. Act 14 (Pilgrims).
1896. 59-60 V. c. 12 (Reports of Floating Derelicts).
" Ben. Act 1, ss. 10 to 17 (Muhammadan Pilgrims to the Hedjaz).
1897. 60-1 V. c. 59 (Under-manning).
1898. 61-2 V. c. 14 (Shipowner's Liability).
" 61-2 V. c. 44 (Fees, Light-dues).
" Act 6, ss. 40 to 42 (Post Office).
1900. 63-4 V. c. 32 (Liability of shipowners, etc.).
1904. Act 9 (Madras Coast lights).
1905. 5 Edw. 7, c. 10 (Liability of Shipowners, etc.).
" Mad. Act 2, ss. 91 to 94 (Pilots, Madras Port).
1906. 6 Edw. 7, c. 48 (Merchant Shipping Amendment).
" 6 Edw. 7, c. 58, ss. 7, 11, 13 (Workmen's Compensation).
1907. 7 Edw. 7, c. 52 (Tonnage and Measurement).
1908. Act 15, ss. 31, 35, 51 to 53 (Pilots, Hoisting signals in river).
" Bur. Act 5 (Pilots Amendment).

MERCHANT SHIPPING—*contd.*

1. Ships and Shipowners.
2. Masters and Seamen.
3. Passengers.
4. Coasting vessels, fishing vessels and harbour craft (Bombay Presidency).
5. Certain Indian Ships.
6. Cargo.
7. Prevention of Accidents.
8. Casualties, Wreck, and Salvage.
9. Pilotage.
10. Lighthouses.
11. Supplemental Provisions.
12. Miscellaneous.

Short title of Act . . . . . 57-8V.c.60,s.747.
Commencement of Act . . . . . „ s.748.

1. Ships and Shipowners.

(*a*) NATIONALITY.

Capacity to own British ship (*see also* ALIEN, 1) . . . . „ s.1.
National character of ship . . . . . „ ss.68to72.
Oath of allegiance by certain shipowners . . . . . „ s.1(*ii*).
Provisions as to flag, etc. . . . . „ ss.73to75.
Certain Indian ships. *See below*. 4, 5.

(*b*) LIABILITY OF SHIPOWNERS.

Liability of beneficial owner of ship . . . . . „ s.58.
„ of owner of "emigrant ship" . . . . . „ s.359.
„ of shipowner for loss by fire, robbery, etc. . . „ s.502.; 61-2V.c.14.; 6Edw.7,c.48,ss.70,71,85.
„ „ „ of life, personal injury, goods lost or damaged . . . . 57-8V.c.60,s.503.; 61-2V.c.14.; 63-4V.c.32,ss.1,3.; 5Edw.7,c.10.; 6Edw.7,c.48,ss.69to71,85.; 6Edw.7,c.58,s.7.
„ „ proceedings for ascertaining and apportioning damages in case of loss of life, personal injury, or loss or damage to goods . . . . . 57-8V.c.60,ss.504to509.
„ „ (criminal and civil), for unseaworthiness „ ss.457,458.; Act7,1880,ss.5,6.
„ „ for neglect as to grain cargoes . . 57-8V.c.60,s.452.; Act7,1880,s.32.
„ of railway company as carrier for sea transit. *See* RAILWAY, 7.

Penalties and sums payable by shipowners recoverable by distress on ship . . . . . 57-8V.c.60,s.693.; Act1,1859,s.113.; Act9,1879,s.10.; Act7,1884,s.40.; Act10,1887,s.46.; Act14,1895,s.51.; Ben.Act1,1896,ss.15,17.; Bom.Act2,1887,s.15.
Arrest of foreign ship for damage . . . . . 57-8V.c.60,s.688.
Proceedings on forfeiture of ship . . . . . „ s.76.

MERCHANT SHIPPING—*contd.*

1. Ships and Shipowners—*contd.*

(c) Registration and Dealings with Registered Ships.

Name of ship : rules as to	57-8V.c.60,s.47. 6Edw.7,c.48,s.50.
Obligation to register British ships	57-8V.c.60,ss.2,3.
Registry of Government ships ; power to make rules	6Edw.7,c.48,s.80.
Registry of British ships ; procedure for	57-8V.c.60,ss.4to13.
,, powers of Governor, etc., in colonies	,, ss.89,90. 6Edw.7,c.48,s.80.
Register book ; particulars to be entered in	57-8V.c.60,ss.5,11.
Survey and measurement before registry	,, s.6.
Registry ; application for	,, s.8.
,, declaration of ownership on	,, s.9.
,, evidence on first	,, s.10.
,, port of	,, s.13.
Registry, closing of	,, ss.21,44. 6Edw.7,c.48,s.52.
Registration, inquiry into title of registered ship to	6Edw.7,c.48,s.51.
Registrar ; documents to be retained by	57-8V.c.60,s.12.
Number of persons who may be registered as joint owners	,, s.5.
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Equities not excluded by Act	,, s.57.
Registrars of British ships	,, s.4.
Marks required before registry	,, s.7.
Abandoned ships ; restrictions on re-registration of	,, s.54.
Foreign ports of registry	,, s.88.
Registry of managing owner of British ship	,, s.59.
Certificate of registry ; grant and form of	,, ss.14,17,18.
,, ,, indorsements on	,, ss.19,20.
,, ,, custody and delivery of	,, ss.15,21. 6Edw.7,c.48,s.52.
,, ,, penalty for improper use of	57-8V.c.60,s.16.
,, ,, provisional, in case of loss	,, s.18.
,, ,, ,, on ship becoming British	,, s.22.
,, ,, ,, on alteration of ship	,, s.50.
,, ,, terminable, in colonies	,, s.90.
,, ,, temporary pass in lieu of	,, s.23.
Transfer and transmission of ships ; rules as to	,, ss.24to30.
,, ,, ,, jurisdiction of Courts to order sale or prohibit transfer	,, ss.28to30.
Forgery and false declarations	,, ss.66,67.
Mortgages of ships ; rules as to	,, ss.31to38. 6Edw.7,c.48,s.52.
Certificates of mortgage and sale	57-8V.c.60,ss.39to46. 6Edw.7,c.48,s.52.
Registry of alterations, registry anew, and transfer of registry	57-8V.c.60,ss.48to54. 6Edw.7,c.48,s.53.

MERCHANT SHIPPING—*contd.*

1. Ships and Shipowners—*concld.*

(c) REGISTRATION AND DEALINGS WITH REGISTERED SHIPS—*contd.*

Incapacitated persons . . . . . 57-8V.c.60,s.55.
Declarations : dispensing with . . . . . „ s.60.
„ mode of making . . . . . „ s.61.
Returns, evidence, and forms . . . . . „ ss.63to65.
Fees under Part I (ss. 1 to 91) of Act . . . . . „ s.62.
„ on registration, transfer or mortgage of ships . . . . 61-2V.c.44,s.3,Sch.I.
Application of Part I (ss.1 to 41) of Act „ . . . . 57-8V.c.60,s.91.
Forms under „ „ „ . . . . „ Sch.I.
Registration of coasting vessels, fishing vessels and harbour craft in Bombay Presidency. *See below*, 4.
„ vessels plying on Indus. *See* INDUS.
„ certain other Indian ships. *See below*, 5.

(d) MEASUREMENT OF SHIPS.

Measurement of tonnage : regulations as to . . . . „ ss.77to82,745 (3),Sch.II.
„ „ foreign ships, when exempt from ; their remeasurement . . „ s.84. 6Edw.7,c.48,s.55.
„ „ deduction from, for crew spaces . . 57-8V.c.60,s.79.
„ „ deduction from . . . . . „ s.79. 6Edw.7,c.48,s.54. 7Edw.7,c.52.
„ „ duties as to, under control of Board of Trade . . . . . 57-8V.c.60,s.86.
„ „ fees for . . . . . „ s.83,Sch.III.
Tonnage dues payable for space occupied by deck cargo . „ s.85.
„ rates under Local Acts leviable on registered tonnage . „ s.87.
Saving for coasters . . . . . „ s.85(4).
Measurement for purposes of Burma Coast Lights Act, 1879 . Act9,1879,s.9.
See also below, 5.

(e) OFFENCES IN RELATION TO SHIPS.

Penalty for maliciously setting fire, etc., to ship . . . . 24-5V.c.97,ss.42,43,56.
Disobedience by master of ship under convoy to commander of convoying squadron . . . . . 27-8V.c.25,s.46. 29-30V.c.109,s.31.
Offences by officers in command of convoying ships. *See* NAVY, 3 (b).
Penalty for being on ship without leave before discharge of seamen 57-8V.c.60,ss.218,219. Act1,1859,s.77
See also below, 2 (g), 6, 7 (a); *and* CRIMINAL LAW (ENGLISH); PIRACY; SEA.

2. Masters and Seamen [*see as to Mercantile Marine Offices, below*, (h)].

(a) CERTIFICATES TO OFFICERS.

Examination of, and certificates to, masters and mates . . 57-8V.c.60,ss.92to95,98. 6Edw.7,c.48,s.56. Act1,1859,ss.9to11,13,14. Act5,1883,ss.34,35,37

MERCHANT SHIPPING—*contd.*

2. Masters and Seamen—*contd.*

(*a*) Certificates to Officers—*contd.*

Examination of, and certificates to, engineers	57-8V.c.60,ss.92,93,96,98. Act7,1884,ss.26,27,31 to 34,36.
Validation of "Indian Foreign Trade Certificates of Competency" granted to engineers under authority of Government of Bombay	Act15,1894.
Fees for certificates	57-8V.c.60,s.97,Sch.IV. Act1,1859,s.10. Act7,1884,s.36(*c*).
Certificates of service	57-8V.c.60,s.99. Act1,1859,s.12.
„ form and record of	57-8V.c.60,s.100. Act1,1859,s.15. Act7,1884,ss.27,29,36.
„ loss of	57-8V.c.60,s.101 Act1,1859,s.16. Act7,1884,s.30.
„ production of	57-8V.c.60,s.103. Act1,1859,ss.31,32. Act7,1884,s.35.
„ forgery of	57-8V.c.60,s.104.
Power by Order in Council to give effect to colonial certificates to masters, mates, and engineers	„ s.102.
Suspension or cancelling of certificates. *See below*, 2 (*g*).	

(*b*) Engagement of Seamen and Apprentices to Sea-service.

Apprentices to sea-service. (*See also* Apprentice)	57-8V.c.60,ss.105to109. Act1,1859,s.4.
Licenses to supply seamen	57-8V.c.60,ss.110to112. Act1,1859,ss.18to20.
Fees payable on engagements	„ ss.5,6,Sch.
Power to prohibit engagement of natives of India	Act13,1876,s.5.
Agreements with crew: form, contents, execution, publication and production of	57-8V.c.60,ss.113to124. Act1,1859,ss.22to34. Act5,1883,ss.26to30.
„ „ lascars, etc.	57-8V.c.60,s.125. Act1,1859,ss.5,115,116. 117. Act5,1883,ss.28,29.
„ „ seamen as to salvage	57-8V.c.60,s.156. Act1,1859,s.48.
Power of Court to rescind agreements	57-8V.c.60,s.168.
Rating of seamen	„ ss.126,746(*3*). 6Edw.7,c.48,s.58.
Disrating of seamen	6Edw.7,c.48,s.59.

(*c*) Rights and Privileges of Seamen during Service.

Obligation of owner to seamen as to unseaworthiness	57-8V.c.60,s.458. Act7,1880,s.6.

MERCHANT SHIPPING—*contd.*

2. Masters and Seamen—*contd.*

(c) Rights and Privileges of Seamen during Service—*contd.*

Provisions and water	57-8V.c.60,ss.198,199, 206. 6Edw.7,c.48,ss.25,26. Act1,1859,ss.47,64to66, 71. Act5,1883,ss.27,28.
Weights and measures on board	57-8V.c.60,s.201. Act1,1859,s.68.
Anti-scorbutics, medicines, and medical attendance; what ships to carry medical practitioner	57-8V.c.60,ss.200,202to 205,209,Sch.V. 6Edw.7,c.48,ss.34,35,49. Act1,1859,ss.67,69,71.
Accommodation	57-8V.c.60,ss.79,210,Sch. VI. 6Edw.7,c.48,s.64. Act1,1859,ss.70,71.
Right to make complaint	57-8V.c.60,s.211. Act1,1859,s.72.
Restrictions on recovery of debt from seaman during voyage	57-8V.c.60,s.213. Act1,1859,s.74.
Imposition by lodging-house-keepers on, and detention of effects of, seamen	57-8V.c.60,ss.214to217. Act1,1859,ss.75to78.
Application of Workmen's Compensation Act, 1906	6Edw.7,c.58,ss.7,13.

(d) Termination of Seaman's Service.

Discharge of seamen in United Kingdom	57-8V.c.60,ss.127to130.
,, ,, abroad	6Edw.7,c.48,ss.30,31,33, 49.
,, ,, in India	Act1,1859,ss.24,25,41to 46 Act13,1876,s.4.
,, ,, fees payable on	Act1,1859,ss.,5,6,Sch.
,, ,, by Naval Court	57-8V.c.60,s.483(*1*)(*c*).
,, ,, before voyage; compensation on	,, s.162. Act1,1859,s.35.
,, ,, certificates and delivery of account on discharge	57-8V.c.60,ss.128,132. 6Edw.7,c.48,s.65(*2*). Act1,1859,ss.42,43.
,, ,, penalty on persons being on ship without leave before	57-8V.c.60,ss.218,219. Act1,1859,s.77.
Volunteering from merchant service into Royal Navy	57-8V.c.60,ss.195to197.
Relief of distressed seamen left abroad	6Edw.7,c.48,ss.40to42, 45to49. Act13,1876,s.3. Act7,1880,ss.54to67. Act5,1883,ss.32,33.
Leaving seamen behind	6Edw.7,c.48,ss.28,36to39, 49.
Repatriation of seamen on termination of service at foreign port	,, ss.32,49.

MERCHANT SHIPPING—*contd.*

2. Masters and Seamen—*contd.*

(e) Seamen's Wages.

Wages; right to	57-8V.c.60,ss.155to158. Act1,1859,ss.47to51.
„ allotment of	57-8V.c.60,s.141. 6Edw.7,c.48,s.61. Act1,1859,s.38
„ „ in favour of savings bank	57-8V.c.60,ss.141(2),142
„ payment of, under allotment notes	„ s.143. 6Edw.7,c.48,s.62. Act1,1859,ss.38to40.
„ restrictions on advance notes	57-8V.c.60,s.140. Act1,1859,ss.36,37.
„ time for payment of	57-8V.c.60,ss.134,135. Act1,1859,s.53.
„ rules as to payment of, at end of engagement	57-8V.c.60,ss.131,132, 136to138,189,197. 6Edw.7,c.48,s.60. Act1,1859,ss.41to46.
„ „ „ in foreign money	57-8V.c.60,s.139. Act1,1859,s.54.
„ forfeiture of, and deductions from	57-8V.c.60,ss.133,159 to161,231to234. 6Edw.7,c.48,ss.44,49,59, 68. Act1,1859,ss.42,52,65,90 to96.
„ prohibition of attachment of; invalidity of sale of or charge on; revocability of power-of-attorney for receipt of	57-8V.c.60,ss.163,212. Act1,1859,s.73.
„ remittance of	57-8V.c.60,ss.145to147. 6Edw.7,c.48,s.63.
„ relief to seamen's families out of	57-8V.c.60,ss.182,183.
„ remedies for	„ ss.164to167. 6Edw.7,c.48,s.57. Act1,1859,ss.55to58. Act7,1880,ss.62to65.
„ of seamen left behind	6Edw.7,c.48,ss.28,37to39, 49.
„ of deceased seaman. *See below, (f).*	

See also Colonial Court of Admiralty.

(f) Property of Deceased Seamen.

Regulations as to wages and effects of deceased seamen, and distribution of their property under will or on intestacy	57-8V.c.60,ss.169to181. 6Edw.7,c.48,ss.29,49. „ c.58,s.7(g). Act1,1859,ss.59to63.
Power to Board of Trade to refuse payment of wages, etc., under will, unless certain conditions as to execution complied with	57-8V.c.60,s.177.

MERCHANT SHIPPING—*contd.*

2. Masters and Seamen—*contd.*

(*g*) Discipline and Crimes and Offences.

Misconduct endangering ship, life or limb	57-8V.c.60,s.220. Act1,1859,s.79.
" or incompetency of certificated officer : suspension or cancelling of certificate ; removal of master	57-8V.c.60,ss.469to475. Act1,1859,s.80. Act5,1883,ss.4,9to18,20to24A. Act7,1884,s.28. Act6,1891,s.14.
Power to issue certificates in lieu of suspended or cancelled certificates	Act5,1883,ss.19,24,24A.
Forcing ashore or wrongfully leaving behind seamen	6Edw.7,c.48,s.43.
Failure to join ship and desertion	" s.65.
Desertion, absence without leave, disobedience, etc.	57-8V.c.60,ss.221to227. Act1,1859,ss.83,86to88,95. Act13,1876,ss.6to8.
Deserters : power of men charged as, to demand survey of ship	57-8V.c.60,s.463.
" apprehension of, from foreign ships	" s.238.
" " from Portuguese ships ; recovery of penalty	12-3V.c.25. 39-40V.c.20,s.2.
Penalty for enticing to desert, harbouring deserter, etc.	57-8V.c.60,s.236. Act1,1859,s.97. (Calcutta)Ben.Act4,1866,s.42. (Mad.City)Mad.Act3,1888,s.70.
" on stowaways	57-8V.c.60,s.237(*1*). 6Edw.7,c.48,s.82(*1*). Act1,1859,s.98.
Discipline of stowaways and seamen carried compulsorily	57-8V.c.60,s.237(*2*). Act1,1859,s.85.
Certificates, etc., of desertion abroad	57-8V.c.60,s.229. Act1,1859,s.89.
Smuggling by seamen	57-8V.c.60,s.225(*1*)(*g*). Act1,1859,s.83(*2*).
Naval Courts : constitution of ; powers of, in relation to complaints by and offences of masters and seamen	57-8V.c.60,ss.480to486. 6Edw.7,c.48,ss.67,68.
Offences by masters as to grain cargoes	57-8V.c.60,ss.452to454,456. Act7,1880,s.32.

(*h*) Miscellaneous.

Official logs : mode of keeping ; entries in ; custody of, etc.	57-8V.c.60,ss.228,239to243,423. 6Edw.7,c.48,ss.8,9,28,59. Act1,1859,ss.84,99,103to110.
" " entries of marriages in	57-8V.c.60,s.240(*6*). Act1,1859,s.105(*8*).
" entries of boat drill, examination of life-saving appliances, etc.	6Edw.7,c.48,s.9.

MERCHANT SHIPPING—*contd.*

2. Masters and Seamen—*concld.*

(*h*) Miscellaneous—*contd.*

Registration of, and returns respecting, seamen	57-8V.c.60,ss.251to257.
" births and deaths in British ships	" s.254,Sch.VIII.
" " in certain foreign ships	" s.339,Sch.VIII.
Delivery of documents on change of master	" s.258. Act1,1859,s.99.
Local marine boards: constitution, powers, duties, and expenses of	57-8V.c.60,ss.244,245, 677(*a*),Sch.VII. 6Edw.7,c.48,s.74(*2*).
Mercantile marine offices: establishment, superintendents, business, management, and expenses of	57-8V.c.60,ss.246to250. 6Edw.7,c.48,s.74(*1*)
" " " power of Board of Trade to establish	57-8V.c.60,s.246(*1*).
Shipping offices: establishment, superintendents and business of; fees payable	Act1,1859,ss.2to8,Sch.
Superintendents to keep registers of deserters	57-8V.c.60,s.230.
Sailors' homes; grant of land for	" s.252.
Seamen's lodging houses: bye-laws of sanitary authorities in seaport towns for licensing and inspection of	" ss 214to217.
Savings banks; allotment of wages in favour of	" ss.141(*2*),142.
Lascars, and other natives of India, Asia, Africa, etc. agreements with; conveyance and relief of distressed; penalty for wrongfully leaving ashore, etc.	4G.4,c.80,ss.25,26,28,31, 32. 57-8V.c.60,ss 125,184,185.
Application of Part II (ss. 92 to 266) of Act	" ss.260to263.
" " " by legislature of British Possession	" s.264
" " " to unregistered ships	" s.266.
Compensation to injured masters, seamen and apprentices: application of Workmen's Compensation Act, 1906, to masters, seamen and apprentices in ships registered in United Kingdom and certain British ships (with modifications)	6Edw.7,c.58,s.7.

3. Passengers.

(*a*) In "Emigrant Ships."

"Emigrant ships;" definition of	57-8V.c.60,s.268(*1*).
" " scale of voyages for	" s.269.
" " "colonial voyage" defined	" s.270.
" " survey and inspection of	" s.289. 6Edw.7,c.48,s.17.
" " " " fees for	57-8V.c.60,s.360(*2*),Sch. IX.
" " " " forms as to	" s.360(*1*),Sch. XIV.
" " salaries and pensions of surveyors	" s.724(*3*).
" " provision against double survey of	" s.289(*1*).
" " appeal against refusal of certificate to	" s.289(*3*).
" " equipment of (*see also below*, 7)	" s.290
" " restrictions on carriage of horses and cattle in	" s.301,Sch.XIII. 6Edw.7, c.48,s.17.

MERCHANT SHIPPING—*contd.*

3. Passengers—*contd.*

(a) In "Emigrant Ships"—*contd.*

Emigrant ships; restrictions on carriage of explosives in	57-8V.c.60,s.301.
" " carriage of military stores in	" s.302.
" " rules as to accommodation in	" s.293,Sch.XI. 6Edw.7,c.48,ss.16,17.
" " number of "steerage passengers" to be carried in	57-8V.c.60,s.292,Sch.X. 6Edw.7,c.48,s.17.
" " supply of provisions, water and medicines for	57-8V.c.60,ss.295to300.
" " master to post up and produce on request copies of scale of provisions, etc.	6Edw.7c.48,s.18.
" " to be manned by an efficient crew	57-8V.c.60,s.305.
" " to carry steward, medical practitioner, etc., in certain cases	" ss.303,304. 6Edw.7,c.48,s.27.
" " survey of provisions, etc., carried in	57-8V.c.60,s.295(*6*)(*8*).
" " bond to be given by master of	" ss.309,310. 6Edw.7,c.48,s.20.
" " certificate of clearance for	57-8V.c.60,ss.314to319.
" " penalty for being on board without consent of owner	" s.313.
" " maintenance of discipline on	" ss.324to326.
" " prohibition of sale of spirits in	" s.326.
" " stowage of goods on board	" s.294.
Passengers; "steerage passengers," "cabin passengers," "statute adults," "passage"; definition of	" s.267. 6Edw.7,c.48,s.14.
" contract tickets to be given to	57-8V.c.60,ss.320to323.
" medical inspection of, and of medicines	" ss.300(*4*),306 to308.
" lists of, to be made out	" ss.311,312.
" rights and remedies of	" ss.307(*4*),308, 321,327to333, 340,357.
" diet of, during voyage	" s.298,Sch.XII. 6Edw.7,c.48,s.17.
" maintenance after arrival	57-8V.c.60,s.327.
" detention and wrongful landing	" ss.328to330. 6Edw.7,c.48,s.19.
" shipwrecked; provisions for	57-8V.c.60,ss.331to334. Act12,1885,ss.4to6,Sch.
Saving of rights of action	57-8V.c.60,s.340.
Frauds in procuring emigration	" s.354. 6Edw.7,c.48,s.24.
Emigration officers; appointment, powers and duties of	57-8V.c.60,s.355.
Passage brokers; licensing	" ss.341to346. 6Edw.7,c.48,s.23.
Emigrant runners; licensing	57-8V.c.60,ss.347to352
Insurance of passage money validated	" s.335. Act12,1885,s.7.
Bye-laws for landing and embarkation of emigrants	57-8V.c.60,s.362.

MERCHANT SHIPPING—*contd.*

3. Passengers—*contd.*

(*a*) In "Emigrant Ships"—*contd.*

Application of Part III (ss. 267 to 368) of Act to voyages from British Islands to ports out of Europe	57-8V.c.60,s.364.
,, ,, ,, to colonial voyages	,, ss.365,366.
,, ,, ,, to India	,, s.368. Act12,1885.
,, ,, ,, to voyages to United Kingdom	57-8V.c.60,ss.336to338.
Regulations as to number of Asiatic and African passengers	,, s.367(*2*)(*3*).
Recovery of fines, etc.	,, ss.356,357.
Protection of officers	,, s.358.
Publication and production of Part III (ss. 267 to 368) of Act, and abstracts thereof	,, s.361.

(*b*) In "Passenger Steamers" (*see also below*, 7).

"Passenger steamer" and "passengers"	,, s.267. 6Edw.7,c.48,ss.13to15.
,, ,, carrying passengers below water line	6Edw.7,c.48,s.16.
,, ,, survey (periodical) of, and certificate	57-8V.c.60,ss.271to282. 6Edw.7,c.48,s.21. Act7,1884,ss.4to10,10A, 11to13,15to25,Sch.
,, ,, ,, ,, ,, ,, colonial	57-8V.c.60,s.284.
,, ,, ,, exemption of certain, from	,, ss.271(*1*),363. Act7,1884,ss.5,25.
,, ,, ,, power to dispense with survey on production of foreign certificate	,, s.23.
,, ,, ,, provision against double	57-8V.c.60,s.271(*3*). Act7,1884,s.5.
,, ,, certificate; appeal against refusal of	57-8V.c.60,s.275.
,, ,, ,, penalty for carrying passengers in excess	,, s.283. 6Edw.7,c.48,s.22. Act7,1884,s.6.
,, ,, general equipment of	57-8V.c.60,s.285.
,, ,, shelter for deck passengers in	,, s.285(*3*).
,, ,, signals to be provided in. *See below*, 7 (*a*).	
,, ,, maintenance of discipline in	,, ss.287,288.

(*c*) Under Native Passenger Ships Act, 1887.

Persons to whom and ships to which Act applies	Act10,1887,ss.2,57.
Definitions	,, s.5.
All voyages: ports for departure or for discharge or embarkation of passengers	,, s.6.
,, ,, notice of sailing; inspection of ship	,, ss.7,8.
,, ,, certificates required	,, ss.9to13,15, 16.
,, ,, survey of ship	,, s.14.
,, ,, supply by passengers of their own food	,, s.17.

MERCHANT SHIPPING—*contd.*

3. Passengers—*contd.*

(c) Under Native Passenger Ships Act, 1887—*contd.*

Short voyages	space for passengers	Act10,1887,ss.18,56.
" "	supplementary certificate when additional passengers taken at intermediate port	" s.19.
" "	report of deaths on voyage	" s.20.
Long voyages :	space for passengers	" ss.21,56.
" "	statements concerning passengers	" s.22.
" "	note of deaths on voyage	" s.23.
" "	fresh certificate when additional passengers taken at intermediate port	" s.24.
" "	certain ships to be propelled by steam	" s.25.
" "	" " to carry medical officer	" s.26.
" "	" " to touch at Aden and obtain clean bill of health	" ss.27,28.
" "	bond where ship clears for port in Red Sea	" s.29.
" "	medical inspection of passengers before embarkation	" s.30.
Penalties		" ss.31to45.
Jurisdiction ; prosecutions ; distress of ship ; application of fines		" ss.46to49.
Depositions of absent witnesses		" s.50.
Information to be sent to ports of embarkation and discharge ; admission of documents in evidence		" ss.51,52.
Power to make rules as to provisions, water, equipment, etc.		" s.53.
Appointment of officers		" s.54.
Power to declare what shall be deemed to be "seasons of fair weather," "seasons of foul weather," "long voyages" and "short voyages"		" s.55.
Act 10, 1887, repealed as to pilgrim ships		Act14,1895,s.4.

(d) Under Pilgrim Ships Act, 1895.

Persons to whom and ships to which Act applies	" s.2.
Definitions	" ss.5,6
Ports for departure or for discharge or embarkation of passengers	" s.7.
Notice of sailing ; inspection of ship	" ss.8,9.
Certificates required for voyages	" ss.10to14,16, 17.
Survey of ship	" s.15.
Supply by pilgrims of their own food	" s.18.
Space for pilgrims ; baggage	" ss.19,20.
Hospital accommodation on pilgrim ship	" s.21.
Statements concerning pilgrims	" ss.22,25.
Note as to deaths on voyage	" s.23.
Fresh certificate when additional passengers taken at intermediate port	" s.24.
Pilgrim ships to be propelled by steam and to be of prescribed tonnage	" s.26.
Certain pilgrim ships to carry medical officer and attendants	" s.27.

MERCHANT SHIPPING—*contd.*

3. Passengers—*concld.*

(*d*) UNDER PILGRIM SHIPS ACT, 1895—*contd.*

Medical officer's diaries and reports	Act14,1895,s.28.
Pilgrim ships to touch at Aden and obtain certificate as to cholera	,, ss.29,30.
Bond to be taken	,, s.31.
Medical inspection of pilgrims before and after embarkation	,, ss.32to34.
Issue and production of tickets and refund of passage money	,, s.35.
Sanitary taxes payable by master of ship	,, s.36.
Penalties	,, ss.37to50.
Jurisdiction ; prosecutions ; distress of ship ; application of fines	,, ss.51to54.
Depositions of absent witnesses	,, s.55.
Information to be sent to ports of embarkation and discharge ; admission of documents in evidence	,, ss.56,57.
Power to make rules as to provisions, water, equipment, etc. ; temporary continuance of rules made under Act 10, 1887	,, ss.58,59.
Appointment of officers	,, s.60.

(*e*) UNDER MUHAMMADAN PILGRIMS ACTS.

Duties of master, etc., before sailing ; penalties	Ben.Act1,1896,ss.10to17. Bom.Act2,1887,ss.10to16.

4. Coasting vessels, fishing vessels and harbour craft (Bombay Presidency).

Marking and branding of	Act19,1838,ss.3,6.
Registration of	,, ss.4to8,Sch.
Fees on registration	,, ss.10,11.
Production of certificate of registration	,, s.12.
Penalties	,, ss 13,14.
Act 19, 1838, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts	Act15,1874,s.5.

5. Certain other Indian Ships.

(*a*) PRELIMINARY.

Acts 10, 1841, and 11, 1850, declared in force throughout British India, except as regards the Scheduled Districts	,, s.3.
Definition of "Local Government"	Act10,1841,s.27.

(*b*) SHIPS BUILT WITHIN LIMITS OF EAST INDIA COMPANY'S CHARTER, OWNED BY BRITISH SUBJECTS AND BELONGING TO BRITISH INDIAN PORTS.

Such ships not to be deemed British ships unless registered	Act 10, 1841, s. 1.
Procedure for registration ; measurement of ships ; marking of tonnage on ship	,, ss.1to12,14,Sch.
Fees for registration	,, s.25. Act11,1850,s.4.
Power to make rules as to registration and as to marking of tonnage	,, s.3.
Certificate of building to be produced with application for registration	Act10,1841,s.18.

MERCHANT SHIPPING—*contd.*

5. Certain other Indian Ships—*contd.*

(*b*) SHIPS BUILT WITHIN LIMITS OF EAST INDIA COMPANY'S CHARTER, OWNED BY BRITISH SUBJECTS AND BELONGING TO BRITISH INDIAN PORTS—*contd.*

Ports to which ships, when registered, are to be deemed to belong; saving of former laws	Act10,1841,s.26.
Record of change of master	,, s.16.
Provisions as to name of ship	,, s.17.
Procedure where certificate of registration lost, mislaid or improperly detained	,, ss.19,20.
Registration *de novo* on loss, etc., of certificate or alteration of vessel or owner	,, ss.19to21.
Penalty for fraudulent use, etc., of certificate	,, ss.15,23.
,, making false declaration, etc.	,, s.23.
Admission, in legal proceedings, of copies of entries in registry books	,, s.22.

(*c*) SHIPS BELONGING TO NATIVE STATES IN ALLIANCE WITH THE EAST INDIA COMPANY OR OWNED BY SUBJECTS OF SUCH STATES.

Power to issue passes conferring on such ships, when commanded by a British subject, the privileges and advantages of British ships	Act10,1841,s.24. Act11,1850,s.2.
Fees for such passes	Act10,1841,s.25.
Power to make rules as to issue of passes and marking of tonnage	Act11,1850,s.3.
Ports to which ships are to be deemed to belong when pass granted saving of former laws	Act10,1841,s.26.

6. Cargo.

[*see also below*, 7 (*b*).]

Delivery of goods, and lien for freight	57-8V.c.60,ss.493to501.
Carriage of military and naval stores in passenger ships	,, s.302.
Deck cargo: liability of space occupied by, for dues	,, s.85.
Carriage of salt on Bombay and Madras coasts. *See* SALT, VI.	

7. Prevention of Accidents.

(*a*) MARKS AND EQUIPMENTS.

Draught of water; marking and record of	,, s.436.
Deck-lines and load-lines; marking of	,, ss.437to445. 6Edw.7,c.48,s.8. Act7,1880,ss.33to43.
Application of provisions relating to deck and load lines to foreign ships	Act7,1880,s.85.
Boats and life-saving appliances; rules by Board of Trade	57-8Vc.60,ss.427to431, Sch.XVII.
,, ,, ,, ss. 292 to 294 and Schedule S of 17 & 18 Vict., c. 104, to apply to steam-vessels proceeding from Bombay Presidency	Bom.Act2,1864,s.15.
Record of boat drill, examination of life-saving appliances, etc.	6Edw.7,c.48,s.9.

MERCHANT SHIPPING—*contd.*

7. Prevention of Accidents—*contd.*

(a) Marks and Equipments—*contd.*

Signals and lights; requirements as to	57-8V.c.60,s.420. Act7,1880,ss.81to83.
" " fees for inspection of	57-8V.c.60,s.420(8),Sch. XVI.
" " providing of, in emigrant ships and passenger steamers	" s.290.
" " of distress	" ss.434,435.
" " private	" s.733.
Equipments of steam ships; rules as to	" ss.285,432
Placing undue weight on safety valve	" ss.286,433.
Lighthouses. *See below*, 10.	
See also above, 3.	

(b) Dangerous Cargo.

Restrictions on carriage of explosives in passenger ships	" s.301.
" " " generally	" ss.446to450.
" " of timber	6Edw.7,c.48,s.10.
" " of grain; precautions against shifting; notice of kind and quantity of cargo; powers of inspection	57-8V.c.60,ss.452to456, Sch.XVIII. 6Edw.7,c.48,s.11. Act7,1880,s.32.

(c) Unseaworthiness.

Unseaworthy ship: sending of, to sea; punishment for	57-8V.c.60,s.457. Act7,1880,s.5.
Unsafe ships; power of Board of Trade or Local Government to detain and survey, and procedure thereon	57-8V.c.60,ss.459to461. 60-1V.c.59,s.1(1). Act7,1880,ss.7to12,44to55.
Application of provisions of Act 7, 1880, relating to unseaworthy and unsafe ships; exemption of certain vessels from	" s.3.
Board or Local Government liable to pay damages for detention without reasonable cause	57-8V.c.60,s.460. Act7,1880,ss.27,31.
Unseaworthiness; survey of ships for, on complaint of seaman	57-8V.c.60,s.463.
" " " by order of Naval Court	" s.483.
Foreign ship; detention of, for overloading or improper loading	" s.462. 60-1V.c.59,s.1(2). Act7,1880,s.35.
Court of survey; constitution of	57-8V.c.60,s.487. Act7,1880,ss.13to15.
" " powers, etc., of	57-8V.c.60,s.488. Act7,1880,ss.16to19,21.
" " rules for	57-8V.c.60,s.489. Act7,1880,ss.20,22,23.
" " scientific referees	57-8V.c.60,s.490. Act7,1880,ss.24to26.
" " payments to officers	57-8V.c.60,s.491. Act7,1880,s.29.
Costs of detention and damages incidental thereto	Act7,1880,ss.27to31.

MERCHANT SHIPPING—*contd.*

7. Prevention of Accidents—*concld.*

(*d*) COLLISIONS.

Collisions; regulations for prevention of, and duties and liabilities in case of	57-8V.c.60,ss.418to423. Act7,1880,ss.81to83.
„ saving for local rules in harbours, etc.	57-8V.c.60,s.421.
„ application of regulations to foreign ships	„ s.424.
„ report of accidents and loss of ship	„ ss.425,426, Act5,1883,s.6.

(*e*) MISCELLANEOUS.

Exemption of certain ships from Part II of Act 7, 1880	Act7,1880,s.3.

8. Casualties, Wreck and Salvage.

(*a*) REPORTS AND INQUIRIES.

Shipping casualty; description of	57-8V.c.60,s.464. Act5,1883,s.6.
Record of accidents on ships, and collisions	57-8V.c.60,ss.240,423. Act1,1859,s.105.
Report of accident to or loss of ship	57-8V.c.60,ss.425,426. Act5,1883,s.6.
Notice of derelict vessels floating on high seas to be given to Lloyd's agent; publication of information received	59-60 7.c.12.
Inquiry into casualty by custom-house officer	57-8V.c.60,s.465.
„ „ „ by Magistrate or specially appointed officer	Act5,1883,s.6.
Investigation into explosion occurring on steam-ship	Act7,1884,s.37.
„ of shipping casualty by Naval Court	57-8V.c.60,ss.480to486. 6Edw.7,c.48,ss.67,68.
„ „ „ by justices, etc.	57-8V.c.60,ss.466to468. 476,477.
„ „ „ by special Court, Admiralty Court or principal Criminal Court	Act5,1883,ss.7,8.
Rehearing of investigation, or appeal against decision	57-8V.c.60,s.475. 6Edw.7,c.48,s.66.
Regulations as to assessors, and place of sitting	57-8V.c.60,ss.466(*12*),467. Act5,1883,s.13.
Colonial Courts: jurisdiction of, when empowered by colonial legislature; appeal	57-8V.c.60,s.478.
Rules as to inquiries and investigations	„ s.479. Act5,1883,ss.12to17.
Inquiry into cause of death on board	57-8V.c.60,s.690.

(*b*) WRECK.

"Wreck" defined	„ s.510. Act7,1880,s.71.
„ receivers of; appointment, powers, duties and expenses of	57-8V.c.60,ss.511to514, 566,567,Sch.XX. Act7,1880,ss,73,76.
„ „ exercise of powers in absence of	57-8V.c.60,s.516.

MERCHANT SHIPPING—*contd.*

8. Casualties, Wreck and Salvage—*contd.*

(*b*) Wreck—*contd.*

Wreck; persons exercising Admiralty jurisdiction not to interfere with	57-8V.c.60,s.529.
" remuneration for custody of	" s.568.
" dealing with	" ss.518to522. 6Edw.7,c.48,s.72. Act7,1880,ss.74,79.
" of foreign ships	57-8V.c.60,s.521(2).
" unclaimed; right to	" ss.523to528.
" offences in respect of, and in respect of shipwrecked persons, and ship stranded or in distress	" ss.519,535to537.
" saving of declaration of 23rd October 1889, between British and French Governments	Act7,1880,s.72,Sch.
Regulations as to marine store dealers	57-8V.c.60,ss.538to542.
Anchors; marking of	" s.543.

(*c*) Salvage.

"Salvage" defined	" s.510.
" rights to and recovery of, generally	" ss.544to564. Act7,1880,ss.75,78.
" by Her Majesty's ships [*see also* Navy, 4 (*b*)]	57-8V.c.60,ss.557to564, Sch.XIX.
" in cases of piracy [*see also* Navy, 4 (*b*)]	13-4V.c.26.
" on recapture from enemy [*see also* Navy, 4 (*b*)]	27-8V.c.25,ss.40,41.

9. Pilots.

General provisions; pilots to be employed in moving vessels in certain cases: fees	Act15,1908,ss.31,35.

(*a*) Calcutta.

Trial and punishment of pilots for breach of duty	Act12,1859,ss.2to11,13to20.
Saving of power to punish departmentally	" s.21.
Withdrawal of pilot's license when he refuses to be tried under Act	" s.22.
Persons to whom Act applicable	" s.23.

(*b*) Lower Burma.

Definition of "port"	Act12,1883,s.2.
Examination, grading and licensing of pilots	" ss.3,4,17,18,19.
Power to make rules to regulate conduct of pilots	" s.5.
Trial of pilot by special Court	" ss.6to16,19.
"Local Government" substituted for "Chief Commissioner" and consequential amendments made throughout Act, 12,1883	Bur.Act5,1908.

MERCHANT SHIPPING—*contd.*

9. Pilots—*contd.*

(c) ELSEWHERE.

Aden	Bom.Act5,1888,s.52.
Bombay Port	Bom.Act6,1879,s.72.
Chittagong	Ben.Act4,1887,s.18.
Karachi	Bom.Act6,1886,s.55.
Madras	Mad.Act2,1905,ss.91to94.
Indus. *See* INDUS.	

10. Lighthouses.

(a) COLONIAL LIGHTHOUSES UNDER MERCHANT SHIPPING ACT, 1894.

Dues : fixing and levying of	57-8V.c.60,s.670.
„ collection and recovery of	„ s.671.
„ payment of	„ s.672.
„ application of	„ 61-2V.c.44.
„ accounts of	57-8V.c.60,s.675.
Expenses	„ s.674.

(b) COAST-LIGHTS, UNDER BURMA COAST LIGHTS ACT, 1879.

Local extent of Act Exemption of Government ships and foreign vessels of war	Act 9, 1879, s. 1.
Definitions	„ s.3.
Dues : levy, payment and recovery of	„ ss.4to15,Sch.
Accounts ; publication of	„ s.16.

(c) BASSES ROCK AND MINICOY LIGHTHOUSES.

Expenses of, carried to General Light-house Fund	61-2V.c.44,s.2(3),Sch.3.

(d) COAST-LIGHTS UNDER MADRAS COAST-LIGHTS ACT, 1904.

Local extent of Act Exemption of Government ships and foreign vessels of war	Act9,1904,ss.1,12.
Definitions	„ s.2.
Dues ; levy, payment and recovery of	„ ss.3to11,Sch.

11. Supplemental Provisions.

(a) LEGAL PROCEEDINGS.

Jurisdiction over ship lying off coasts	57-8V.c.60,s.685.
„ in case of offences on board	„ s.686.
„ „ „ in foreign ports	„ s.687.
Prosecution of offences	„ s.680. 6Edw.7,c.48,s.82(2).
„ „ in British Possessions generally	57-8V.c.60,s.711.
Prosecution of offences in India	Act1,1859,s.112. Act7,1884,s.38.
Costs of prosecutions	57-8V.c.60,ss.700,701.
Conveyance of offenders and witnesses	„ s.689. 6Edw.7,c.48,s.67.

MERCHANT SHIPPING—*contd.*

Supplemental Provisions—*contd.*

(*a*) LEGAL PROCEEDINGS—*contd.*

Powers of Naval Courts	57-8V.c.60,s.483. 6Edw.7,c.48,s.68.
Offences, where deemed to have been committed	57-8V.c.60,s.684. Act7,1880,s.84. Act7,1884,s.39. Act10,1887,s.47. Act14,1895,s.52.
Summary proceedings; limitation of time for	57-8V. c. 60, s. 683.
Service of summons	,, s.696(*1*)(*a*),(*b*).
,, of orders and documents on master of ship	,, s.696(*1*)(*c*),(*2*).
Sums ordered to be paid leviable by distress on ships	,, s.693. Act1,1859,s.113. Act9,1879,s.10. Act7,1884,s.40. Act10,1887,s.46. Act14,1895,s.51. Ben.Act1,1896,ss.15,17. Bom.Act2,1887,s.15.
Application of penalties under Merchant Shipping Act	57-8V.c.60,s.699.
Board of Trade; power of, to sue in name of officer	,, s.717.
Enforcement of Act	,, s.723. Act1,1859,ss.30,117.
Remedies for recovery of master's disbursements	57-8V.c.60,s.167.
Affidavits may be made before Commissioner of Oaths at any place	54-5V.c.50,s.1.
Conflict of laws	57-8V.c.60,s.265.
Transmission and publication of documents	,, ss.739,740.
Application of Part XIII (ss. 680 to 711) of 57-8 V. c. 60 to whole of Her Majesty's dominions	,, s.712.

See also COLONIAL COURT OF ADMIRALTY.

(*b*) EVIDENCE.

Admission of documents and certificates under seal of, or signed by, Secretary, etc., of Board of Trade	,, s.719.
,, of certificates signed by Secretary to Local Government, etc., that seaman is distressed	Act13,1876,s.3.
,, of certified copies of certificates of competency or service and entries as to such certificates	57-8V.c.60,s.100(*3*).
,, of statement of master of foreign-going ship as to change of crew	,, s.117(*1*). Act1,1859,s.29.
,, of certified copy of release for wages	57-8V.c.60,s.136(*5*). Act1,1859,s.46.
,, of copies of entries and certificates of desertion	57-8V.c.60,s.229(*2*). Act1,1859,s.89.
,, of entries in official log	57-8V.c.60,s.239(*6*). Act1,1859,s.108.
,, of certified copies of documents transmitted to Registrar General of Seamen	57-8V.c.60,ss.229,256(*1*).
,, of certificate made on bond of emigrant ship	,, s.310.

MERCHANT SHIPPING—*contd.*

11. Supplemental Provisions—*contd.*

(*b*) Evidence—*contd.*

Admission of reports of Naval Courts, etc.	57-8V.c.60,s.484(2).
,, of deposition by witness taken before Judge, Magistrate or Consular Officer	,, s.691. 6Edw.7,c.58,s.7(c). Act1,1859,s.111. Act5,1883,s.16. Act10,1887,s.50. Act14,1895,s.55.
,, of bill for wages of seamen left behind	6Edw.7,c.48,s.38(3)(c).
Proof of registers, declarations and certificates in relation to British ships	6Edw.7,c.58,s.7(c). 57-8V.c.60,s.695.
Production or proof of entries as to offences in official log	,, s.228(*d*). Act1,1859,s.84.
Proof of attestation of document unnecessary	57-8V.c.60,s.694.
,, exemption, etc.	,, s.697.
Declarations may be taken before Commissioner	,, s.698.
Application of Part XIII (ss. 680 to 711) of 57-8 V. c. 60 to whole of Her Majesty's dominions	,, s.712.

(*c*) Miscellaneous.

Exemption of Her Majesty's ships or Government's ships	,, s.741. Act1,1859,s.114. Act9,1879,s.1. Act7,1880,ss.3,80. Act5,1883,s.5. Act7,1884,s.5. Act10,1887,s.2. Act14,1895,s.2.
,, of ships of foreign States	Act1,1859,s.114. Act9,1879,s.1. Act7,1880,s.80. Act5,1883,s.5. Act7,1884,s.5. Act10,1887,s.2. Act14,1895,s.2.
Interpretation	57-8V.c.60,ss.492,742. Act1,1859,s.118. Act13,1876,s.2. Act9,1879,s.3. Act7,1880,ss.2,4,54,71. Act5,1883,s.3. Act7,1884,s.3. Act10,1887,s.5. Act14,1895,ss.5,6.
Red ensign declared to be national colours for ships of Her Majesty's subjects	57-8V.c.60,s.73.
Penalty on not hoisting colours in certain cases	,, s.74.
Functions and powers of Board of Trade and their officers in relation to merchant ships	57-8V.c.60,ss.713to730. 6Edw.7,c.48,ss.75,78,79.
Inspection of ships under direction of Board of Trade; settlement of disputes	57-8V.c.60,ss.728to730.

MERCHANT SHIPPING—*contd.*

11. Supplemental Provisions—*concld.*

(c) MISCELLANEOUS—*contd.*

Surveyors of ships	57-8V.c.60,ss.724to727. 6Edw.7,c.48,s.75. Act7,1880,ss.68to70.
Powers for enforcement of provisions as to grain cargoes	57-8V.c.60,s.455.
Arrest of foreign ship in territorial waters for damage to British property, wherever caused	,, s.688.
Detention of ships; mode of enforcing	,, s.692. 5Edw.7,c.10,s.1(3). 6Edw.7,c.58,ss.11,13. Act1,1859,ss.31,32. Act9,1879,s.10. Act5,1883,s.14. Act7,1884,s.8. Act10,1887,s.31. Act1,1895,s.37.
Application of Part XIII (ss. 680 to 711) of 57-8 V. c. 60 to whole of Her Majesty's dominions	57-8V.c.60,s.712.
Orders in Council under Merchant Shipping Act; provision as to	,, s.738.
Application of Acts respecting seamen, etc., to ships, etc., in British Possessions and alteration of Acts respecting merchant shipping by British Possessions	,, ss.91,261,264,266,735,736. 6Edw.7,c.48,ss.2,6to49,67,80(2).
Regulation of coasting trade of British Possessions by legislatures	16-7V.c.107,s.229. 57-8V.c.60,s.736.
Freedom of foreign ships to engage in coasting trade	Act5,1850.
Acts 5, 1850, and 1, 1859, declared in force throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
Application of Merchant Shipping Acts to fishing boats, light-house vessels, and yachts	57-8V.c.60,ss.262,263.
,, ,, ,, ,, to vessels propelled by electricity, etc.	,, s.743.
,, Indian Steam Ships Act, 1884, to vessels propelled by electricity, etc.	Act7,1884,s.41.
Power to extend Merchant Shipping Acts to foreign countries in which Her Majesty has jurisdiction	53-4V.c.37,s.5,Sch.I.
Power to apply Merchant Shipping Acts to foreign ships	57-8V.c.60,s.734.
Conveyance of fugitive offenders; duties and liabilities of masters of vessels	44-5V.c.69,s.27.
Provision as to foreign jurisdiction	57-8V.c.60,s.737.

12. Miscellaneous.

Flag to be hoisted at sea when plague or other infectious disease on board	6G.4,c.78,s.9
Hoisting of signals on vessel arriving within signal distance of signal station in river Hooghly or in other river or channel leading to port	Act15,1908,ss.51to53.
Liability to carry and deliver mail bags, etc.	Act6,1898,ss.40to42.
Power to take special measures in respect of vessels in Bombay port, to check infectious disease. *See* INFECTIOUS DISEASE	

MERCHANT SHIPPING—*concld.*

12. Miscellaneous—*contd.*

Emigrant vessels; control over. *See* EMIGRATION, A, **2** (6); C.
Special regulations as to ships arriving at or leaving Aden. *See* ARMS, AMMUNITION AND MILITARY STORES.
Special regulations as to ships arriving at Andamans. *See* ANDAMAN AND NICOBAR ISLANDS, **4**.
See also INDUS; INLAND STEAM-VESSELS.

MESNE PROFITS AND IMPROVEMENTS ACT, 1855 (*See* TRANSFER OF PROPERTY) . . . . . Act11,1855.

METAL TOKENS ACT, 1889 (*See* COINAGE, II, **3**; LOCAL AUTHORITY; RAILWAY) . . . . . Act1,1889.

MIDNAPUR.
Certain territories included in district of; Cuttack laws to be in force in such territories . . . . . Ben.Reg.13,1805,s.3.
Power to alter boundaries of district . . . . . Ben.Reg.13,1805,s.3.
See also CHOTA NAGPUR; POLICE, III, E.

MIKIR HILLS. *See* FRONTIER, A, **1**.

MILITARY LAW. *See* ARMY; INDIAN MILITARY AND NAVAL FORCES; MARTIAL LAW.

MILITARY LUNATICS ACT, 1877 (*See* LUNATIC) . . Act11,1877.

MILITARY POLICE ACT (BENGAL), 1892 . . . Act5,1892.
" " " (BURMA), 1887 . . . Act15,1887.
MILITARY POLICE REGULATION (ANDAMAN AND NICOBAR ISLANDS), 1888 . . . Reg.2,1888.
MILITARY POLICE REGULATION (ASSAM), 1890 . . . Reg.4,1890.
(*See* POLICE, IV)

MILITARY STORES.
See ARMS, AMMUNITION AND MILITARY STORES.

MINES (INDIAN) ACT, 1901 . . . . . Act8,1901.

MINES.
Act 8, 1901, extends to whole of British India . . . . Act8,1901,s.1.
Power to exempt any local area, mine, group or class of mines or class of persons from operation of . . . . . " s.29.
Regulation 1?, 1887 (Upper Burma Ruby) not affected . . " s.2.
Definitions . . . . . " s.3.
Mine—what is . . . . . " s.27.
Inspectors and Chief Inspector; appointment of . . . . " s.4.
to be deemed public servants . " s.4(4).
powers and duties of . . " ss.4,6,15.
exercise of powers of Inspector by District Magistrate . . . . . " s.5.
owners, etc., of mines to afford facilities to, for inspection, etc. . . . . " s.7.
information acquired by, with regard to mines regarded as confidential: penalty for disclosure " s.8.
Mining Boards and Committees: . . . . . " ss.9,10.
Powers of . . . . . " s.11.
Expenses of inquiry by, how recovered . . . " s.12.

MINES—*contd.*

Mining operations :
responsibility of owner, manager, etc. . . Act8,1901,ss 13,14.
notice of, to be given by owner, manager, etc. . . . s.16.
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accidents—
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formal inquiry into . . . . . ,, ss.18,19.
transmission and use of electrical energy in mines by non-licensees . . . . . Act9,1910,s.30.
Rules, by Government . . . . . Act8,1901,s.20.
to be referred to Mining Board . . . . . ,, s.20(5).
by owners, managers, etc. . . . . ,, s.21.
Offences and penalties— . . . . . ,, ss.8,22.
cognizance when to be taken : limitation to prosecution ,, ss.23,24.
what Magistrates to exercise jurisdiction over . . ,, s.25.
reference to Mining Board or Committee . . . ,, s.26.
Evidence of age . . . . . ,, s.28.
Governor General in Council ; power of, to exercise powers of Local Government . . . . . ,, s.32.
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MINES AND MINERALS.

Presumption that Government is sole owner of all mines and entitled to take stone, gravel, etc., for public purposes ; compensation for disturbance of surface . . . . . (Aj.)Reg.2,1877,s.3(am. Reg.5,1907,s.27).
Right of Government to mines and mineral products ; saving of rights of occupants . . . . . Bom.Act5,1879,s.69.
Right of Government to minerals belonging to it and to assign such rights ; compensation for occupation or disturbance of surface in exercise of such right . . . . . (L.B.)Act2,1876,s.38A. Bur.Act4,1898,s.23A.
Right of Government to precious stones, mines, minerals, coal and earth-oil ; power to assign such right ; compensation for occupation or disturbance of surface in exercise of such right . (U.B.)Reg.3,1889,s.31.
Recovery of revenue payable on account of mines, minerals, precious stones, coal and earth-oil . . . . . ,, ss.37to46.
Right of Government to mines, minerals, coals and quarries ; compensation for occupation or disturbance of surface . . (C.P.)Act18,1881,s.151.
Right of Government to mines of metal and coal, earth-oil and gold-washings ; presumptions as to ownership ; compensation for infringement of rights of third parties in exercise of Government right . . . . . (P.)Act17,1887,ss.41to43.
Right of Government in mines, minerals, quarries, earth-oil and gold washings . . . . . (Co.)Reg.1,1899,s.47.
Special provisions as to, in case of acquisition of land. *See* LAND (INDIAN LAW), A (2) (*b*).
Regulation of petroleum mining industry in upper Burma. *See* UPPER BURMA OIL FIELDS REGULATION, 1910.
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MINICOY. *See* LACCADIVE ISLANDS.
,, LIGHTHOUSE. *See* LOAN, A.
MINOR.
Definitions of. *See* WORDS AND PHRASES.
Not to administer his affairs during minority [1]Mad.Reg.5,1804,s.4.
Official guardianship of. *See* COURT OF WARDS.
Private guardianship of. *See* GUARDIAN AND WARD.
Liability for necessaries supplied to . . . Act9,1872,s.68.
Application of trust property for maintenance of . . . Act2,1882,s.41.
Procedure in suit by or against. *See* CIVIL PROCEDURE,
Who to sue for, in matrimonial cause . . . . . Act4,1869,s.49.
May sue in certain cases in Presidency Small Cause Court, as if of full age . . . . . Act15,1882,s.32.
Payment of deposits in Government Savings Bank belonging to . Act5,1873,s.10.
Responsibility of, as partner. *See* PARTNERSHIP.
Orders by High Court for disposal of property held by lunatic minor. *See* MORTGAGE, 2.
Punishment for selling or buying, for purposes of prostitution, etc. . . . . Act45,1860,ss.372,373.
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MINORITY.
Definitions of. *See* WORDS AND PHRASES.
Age of attaining majority declared to be—
eighteen years for purposes of—
Mad. Reg. 5, 1804 (Court of Wards) . . . . . [1]Mad.Reg.5,1804,s.4.
Succession Act . . . . . Act10,1865,s.3.
Oudh Estates Act . . . . . Act1,1869,s.2.
Government Savings Banks Act . . . . . Act5,1873,s.3.
twenty-one years for purposes of—
Christian Marriage Act . . . . . Act15,1872,s.3.
Bengal Court of Wards Act . . . . . Ben.Act9.1879,s.3.
in some cases eighteen, and in others twenty-one years—
generally (with savings as to marriage, dower, divorce, adoption, religious rites, etc.) Act9,1875,ss.2,3
for purposes of Probate and Administration Act . . . Act5,1881,s.3.
,, Guardians and Wards Act . . . . . Act8,1890,s.4(*1*).
In computing age, day of birth to be included as a whole day . Act9,1875,s.4.
Act 9, 1875, extends to whole of British India and, as regards British subjects, to Foreign Indian States . . ,, s.1.
,, ,, declared in force in—
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Upper Burma generally (except the Shan States) . Act13,1898,s.4,Sch.1.
For purposes of limitation, time does not run during . . Act9,1908,ss.6,7,8.
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MIRZAPUR STONE MAHAL ACT, 1886(*See* STONE) Act5,1886.
MISCHIEF. *See* CRIMINAL LAW (INDIAN),
MONEY; definitions of. *See* WORDS AND PHRASES.

[1] Repealed except in Scheduled Districts by Mad. Act 1, 1902.

MONEY-CHANGER.

Assistance by, to police. *See* POLICE, 1, D, 3 ; E, 3 ; G, 3.

MONEY-ORDER. *See* POST OFFICE (ENGLISH LAW), 2.

MONTH defined. *See* WORDS AND PHRASES.

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MOORSHEDABAD ACT, 1891 . . . . . Act15,1891.

MOPLAH OUTRAGES ACT, 1859 (*See* MURDEROUS OUTRAGES ; STATE PRISONER) . . . . . Act20,1859.

MOPLAH OUTRAGES ACT CONTINUANCE ACT, 1891 (*See* MURDEROUS OUTRAGES) . . . . . Mad.Act7,1869.

MORAR CANTONMENT.

Suits for debt cognizable by Courts in, before cession to Gwalior, to be cognizable in Courts at certain other places . . . Act17,1886,s.10.

MORTGAGE.

1. Generally.

Definition of "mortgage," "mortgagor," "mortgagee," "mortgage-money" and "mortgage-deed" . . Act4,1882,s.58(*a*).

,, "simple mortgage" . . . . . ,, s.58(*b*).

,, "mortage by conditional sale" . . . . ,, s.58(*c*).

,, "usufructuary mortgage" . . . . . ,, s.58(*d*).

,, "English mortgage" . . . . . ,, s.58(*e*).

Registered instrument when required ; unregistered instrument or delivery when sufficient ; delivery of documents of title to creditor in Bombay, Calcutta, Karachi, Madras, Rangoon, Moulmein, Bassein or Akyab . . . . . ,, s.59.

Act 4, 1882, s. 59 :

Power to exempt territory from operation of . . . Not to apply to territory excluded from operation of Registration Act, 1877 . . . . . ,, s.1.

Extended to all cantonments . . . . . Act15,1910,s.29.

Mortgage in case of Dekkhan agriculturist must be in writing . Act17,1879,s.70.

Rights and liabilities of mortgagor :

Right to redeem . . . . . Act4,1882,ss.60,61,91.

,, ,, ,, charge of one of several co-mortgagors who redeems, upon shares of other co-mortgagors . . . . . ,, s.95

,, on redemption, to take accession to mortgaged property ,, s.63

,, ,, ,, to have benefit of renewal of mortgaged lease . . . . . ,, s.64.

,, of usufructuary mortgagor to recover possession . . ,, s.62.

Implied contracts by mortgagor . . . . . ,, s.65.

Mortgagor in possession not to do anything which will render security insufficient . . . . . ,, s.66.

Rights and liabilities of mortgagee :

Right to foreclosure or sale . . . . . ,, s.67.

,, to sue for mortgage-money . . . . . ,, s.68.

,, to take accession to mortgaged property . . . ,, s.70.

,, to have benefit of renewal of mortgaged lease . . ,, s.71.

,, to charge on surplus proceeds of sale when mortgaged property sold for arrears of revenue or rent . . ,, s.78.

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1. Generally—*contd.*

Rights and liabilities of mortgagee—*contd.*
Power of mortgagee to sell, when valid . . . . . Act4,1882,s.69.
Rights of mortgagee in possession . . . . . ,, s.72.
Right of subsequent mortgagee to pay off prior mortgagee . ,, s.74.
Rights of mesne mortgagee against prior and subsequent mortgagees . . . . . ,, s.75.
Liabilities of mortgagee in possession . . . . . ,, ss.76,77.
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Postponement of prior mortgagee in case of fraud, etc. . . ,, s.78.
Postponement of subsequent mortgagee in case of mortgage to secure uncertain amount, when maximum is expressed . ,, s.79.
Tacking abolished . . . . . ,, s.80.
Marshalling securities . . . . . ,, s.81.
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Power to deposit in Court money due on mortgage; right to money so deposited; cessation of interest . . . . ,, ss.83,84.
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Joinder of parties in suit for foreclosure, sale or redemption . Act5,1908,Sch.1,o.34,r.1.
Right of puisne mortgagee to institute suit for redemption and foreclosure . . . . . ,, o.34,r.11.
Decree in foreclosure-suit:
Preliminary decree; directions to be given in . . . ,, o.34,r.2.
Final decree; delivery of documents, and, if necessary, retransfer of property and delivery of possession to defendant if payment made; decree absolute for foreclosure if payment not made; effect of such decree; power to enlarge time for payment . . . . . ,, r.3.
Power to decree sale . . . . . ,, r.4(2).
Decree for sale:
Preliminary decree; directions to be given in . . . ,, r.4(1).
Final decree: delivery of documents, and, if necessary, retransfer of property and delivery of possession to defendant if payment made; decree for sale if payment not made; recovery of balance due . . . . . ,, rr.5,6.
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Certain persons other than mortgagor may institute suit . Act4,1882,s.91.
Preliminary decree; directions to be given in . . . Act5,1908,Sch.1,o.34,r.7.
Final decree; delivery of documents and, if necessary, retransfer of property and delivery of possession to plaintiff if payment made; foreclosure or sale if payment not made; power to enlarge time for payment; decree where nothing is found due . . . . . ,, rr.8,9.
Bar of suits when mortgage executed before 13th February, 1844; exception . . . . . (O.)Act13,1879,s.37.
Costs of mortgagee subsequent to decree . . . . . Act5,1908,Sch.1,o.34,r.10.
Power of Court to order sale free from prior mortgage, and give prior mortgagee interest in proceeds; application of such proceeds . . . . . ,, rr.12,13.
Rights and liabilities of parties in case of anomalous mortgages Act4,1882,s.96.

MORTGAGE—*contd.*

1. Generally—*concld.*

Mortgagee obtaining decree for claim arising under mortgage not entitled to sell mortgaged property without bringing suit for sale . . . . . Act5,1908,Sch.1,o.34,r.14.

Extinguishment of, on mortgagee becoming absolutely entitled to mortgaged property . . . . . Act4,1882,s.101.

Application to charges of law as to mortgages . . . . „ s.100. Act5,1908,Sch.1,o.34,r.15.

Service on, or tender to, agent . . . . . Act4,1882,s.102.

Notice, etc., to or by person incompetent to contract, by or to whom to be given . . . . . „ s.103.

Power of High Court to make rules for working of Act . . „ s.104.

Conditional sale of land on loan of money, the sale to become absolute if loan not repaid :

Procedure for repayment of loan, or deposit of amount in Court (P.andN.-W.Fr.)Ben.Reg. 1,1798,ss.2,4.

Lender to account for proceeds, when he has possession of the land . . . . . „ s.3.

Regulation not to affect contracts . . . . . „ s.5.

Redemption and foreclosure of mortgage in such cases . . (P.andN.-W.Fr.)Ben. Reg.1.1798,s.[illegible],[illegible] dBe[illegible]. Reg.17,1806,ss.7,8.

Ben. Reg. 1, 1798 and Ben. Reg. 17, 1806 ;

declared in force in the Punjab and N.-W. Fr. (except such parts as relate to interest) . . . . . Act4,1872,s.3. Reg.7,1901,s.4.Sch.2.

declared in force in Santhál Parganas . . . . Reg.3,1872,s.3.Sch.

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Mortgage of ship. *See* MERCHANT SHIPPING, 1 (*c*).

See also TRANSFER OF PROPERTY, A.

2. Cases governed by English Law.

Acts 23, 1855, and 28, 1866, declared in force throughout British India, except as regards the Scheduled Districts . . . Act15,1874,s.3.

Acts 23 of 1855 and 27 and 28 of 1866 apply only to cases to which English law is applicable . . . . . Act23,1855,preamble Act27,1866,s.3, Act28,1866,s.45.

Heir or devisee of land not entitled to claim that mortgage be paid out of personalty . . . . . Act23,1855.

Act 23 of 1855 repealed except as to descents or devises occurring or made before 1st January, 1868 . . . . . Act8,1868.

Definitions . . . . . Act27,1866,s.2.

Power of High Court to make order for disposal of immoveable property, or contingent right therein, or stock, etc., held by mortgagee who is lunatic or of unsound mind . . . „ ss.4to6.

Power of High Court to make order for disposal of immoveable property, or contingent right therein, held by mortgagee who is a minor . . . . . „ ss.8,9.

Power of High Court to make order for disposal of immoveable property conveyed to mortgagee who has died without taking possession . . . . . „ s.19.

Power to appoint person to convey ; power to issue order to secretary of company or society in such cases . . . . „ s.20.

Effect of such orders for vesting stock, Government securities, etc. . . . . „ ss.25to29.

MORTGAGE—*concld.*

2. Cases governed by English Law—*contd.*

Power of High Court—
to direct how right to transfer stock, etc., vested under Act, shall be exercised . . . . . Act,27,1866,s.34.
to make order as to costs under Act . . . . . „ ss.44,49.
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Payment into Court, etc., of moneys to which minor or person of unsound mind is entitled by virtue of action taken under Act . „ s.46.
Stamp duty on orders made under Act . . . . . „ s.48.
Power of High Court to direct enquiry whether person concerning whom petition is presented under Act 27, 1866, is of unsound mind; application of Act 34, 1858 . . . . . „ s.50.
Power of High Court to postpone making order under Act until petitioner's right declared in suit . . . . . „ s.51.
Indemnity to persons obeying orders made under Act . . „ s.52.
Order under Act to have force of decree . . . . . „ s.53.
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Rights and liabilities of mortgagee:
Right, when payment is in arrear, to sell or appoint receiver; provisions supplemental to that right . . . . . „ ss.6to19.
Act 28, 1866, ss. 6 to 19, applied to English mortgages wherever in British India the property is situate, when neither party is a Hindu, etc. . . . . Act4,1882,s.69.
MORTGAGED ESTATES ADMINISTRATION ACT, 1855 (*See* MORTGAGE) . . . . . Act23,1855.
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1. Bengal (except the Sambalpur District) and Eastern Bengal.

Ben. Act 3, 1903; extends to Calcutta and Suburbs, and may be extended to any other towns or area in Bengal or Eastern Bengal . . . . . Ben.Act3,1903,s.1.
Definition of "motor-car" . . . . . „ s.2.
Rules for regulating the use of motor-cars and cycles—
power to make . . . . . publication of, in draft and finally . . . . . „ s.3.
breach of; penalty for . . . . . „ s.4.
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„ by what Magistrates triable . . . . . „ s.6.
Power to make rules to prohibit or regulate bringing of, into public park . . . . . Ben.Act2,1904,s.4(*b*).

2. Bombay Presidency (except Aden).

Bom. Act 2, 1904, extends to whole of Bombay Presidency, except Aden . . . . . Bom.Act2,1904,s.1.
"Motor-vehicle" defined . . . . . „ s.1(*3*).
License for driving motor vehicle; grant, duration and renewal of . . . . . „ s.4(*2*),5.

MOTOR-CARS AND CYCLES—*contd.*

2. Bombay Presidency (except Aden)—*contd.*

Power of Court to suspend license and declare holder to be disqualified from obtaining license on conviction of offence under Act or in connection with driving motor-vehicle ; effect of suspension of license or order of disqualification	Bom. Act 2, 1904,	s.8.
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,, ,, ,, make rules	,,	ss.10,16.
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3. Burma.

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,, ,, carry lights	,,	s.8.
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5. Punjab.

P. Act 2, 1907, extends to whole of the Punjab . . . P.Act2,1907.s.1.
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Penalty for driving motor-vehicle without license . . . . " ss.6,7.
Penalty for reckless driving; duty to stop in case of accident; penalty for breach of duty . . . . . " ss.9,16.
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" " " to make rules . . . . . " ss.12,13.
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MUKHTAR. *See* LEGAL PRACTITIONER, 1, 2.

MUNICIPAL ACT (BENGAL), 1876 . . . . . Ben.Act5,1876.
" " " 1884 . . . . . Ben.Act3,1884.
" " (BOMBAY DISTRICT), 1901 . . . . Bom.Act3,1901
" " (BURMA), 1898 . . . . . Bur.Act3,1898.
" " (CALCUTTA), 1899 . . . . . Ben.Act3,1899.
" " (CENTRAL PROVINCES), 1903 . . . Act16,1903.
" " (CITY OF BOMBAY), 1888 . . . . Bom.Act3,1888.
" " (MADRAS CITY), 1904 . . . . . Mad.Act3,1904
" " (DARJEELING), 1900 . . . . . Ben.Act1,1900.
" " (PUNJAB), 1891 . . . . . Act20,1891.
MUNICIPALITIES ACT (MADRAS DISTRICTS), 1884 . . Mad.Act4,1884.
" " (UNITED PROVINCES), 1900 . . U.P.Act1,1900.
MUNICIPAL ACT AMENDMENT ACT (CITY OF BOMBAY), 1888 Bom.Act4,1888.
" " " " " " 1893 Bom.Act1,1894.
MUNICIPAL DEBENTURES ACT (BOMBAY), 1876 . . Act15,1876.
MUNICIPALITIES REGULATION (AJMERE), 1886 . . Reg.5,1886.
MUNICIPAL SERVANTS ACT (BOMBAY), 1890 . . Bom.Act5,1890.
MUNICIPAL TAXATION ACT, 1881 (*See* MUNICIPALITY, 1) . Act11,1881.

MUNICIPALITY.

1865. Ben. Act 7 (Markets and Slaughter-houses, Bengal).
1867. Ben. Act 3, ss. 8, 9 (Ports).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1876. Act 15 (Debentures, Bombay City).
„ Ben. Act 5 (Municipalities, Assam).
1878. Act 17, s. 7 (Ferries, Ajmere, Assam, Central Provinces, Coorg, North-Western Provinces, Oudh, Punjab).
[1] „ Ben. Act 7, s. 84 (Excise, Bengal and Assam).
„ Bom. Act 5, s. 63 (Excise).
„ Mad. Act 7 (Police, Madras Presidency).
1879. Act 11, s. 8 (Local Authorities Loans).
„ Bom. Act 6, ss. 36 to 38, 69 (Bombay Port Trustees).
1881. Act 11 (Municipal Taxation, British India generally).
1883. Act 1, ss. 3, 4 (Local Self-government, Central Provinces).
„ Act 20, ss. 9, 10, 24, 54 (District Boards, Punjab).
„ Ben. Act 5 (Porters, etc., Darjeeling and Kurseong).
1884. Act 19 (Water-supply, Rangoon).
„ Ben. Act 3 (Municipalities, Bengal and Assam).
„ Bom. Act 1, ss. 4, 36, 47, 48 (Local Boards, Bombay).
„ Mad. Act 4 (Municipalities; Madras Presidency, except the City of Madras).
„ Mad. Act 5, ss. 2, 118 (Local Boards, Madras).
1885. Act 8, ss. 1, 19 (Bengal Tenancy).
„ Ben. Act 3, ss. 1, 30, 64, 88A, 136, 137 (Local Self-government, Bengal).
1886. Reg. 5 (Municipalities, Ajmere).
„ Reg. 6, s. 3 (Rural Boards, Ajmere).
1887. Act 16, s. 94 (Agricultural Tenancies. Punjab).
1888. Act 12 (Municipality, Bombay City).
„ Bom. Act 3 (City of Bombay Municipality).
1888. Mad. Act 3, s. 62 (Fire).
1890. Ben. Act 3, ss. 67, 68 (Calcutta Port).
„ Bom. Act 4, s. 77 (Police, Bombay Districts).
„ Bom. Act 5 (Municipal Servants, Bombay Presidency).
„ Mad. Act 2, s. 11 (Canals and Ferries).
1891. Act 20 (Municipalities, Punjab).
„ U. P. Act 1 (Water-supply, U. P.).
1892. U. P. Act 1 (Lodging-houses, U. P.).
1894. U. P. Act 3 (Drainage, etc., U. P.).
1898. Bom. Act 1 (Municipal Investments, Bombay City).
„ Bom. Act 4, ss. 23, 24, 41 to 45, 72, 80, 81 (Improvement, Bombay City).
„ Bur. Act 3 (Municipalities, Burma).
1899. Act 8, s. 23 (Petroleum).
„ Bom. Act 2, ss. 1, 4 (Prevention of Adulteration).
„ Ben. Act 3 (Municipality, Calcutta).
„ U. P. Act 2 (Collection of taxes by Railway administration).
1900. Ben. Act 1 (Municipality, Darjeeling).
„ U. P. Act 1 (Municipalities).
1901. Reg. 3, s. 29 (Frontier Crimes).
„ Reg. 7, s. 3 (Laws, N-W. Fr.).
„ Bom. Act 3 (Municipalities, Bombay Districts).
1902. Bom. Act 4, ss. 45, 46 (Police, Bombay City).
1903. Act 16 (Municipalities, Central Provinces).
1904. Bom. Act 2, s. 4 (Motor-vehicles).
„ Mad. Act 3 (Municipality, Madras City).
1905. Mad. Act 2, s. 34 (Port Trust).
1907. Reg. 2 (Municipalities, Coorg).
„ Mad. Act 2 (Hill Municipalities).
1910. Act 15, s. 18 (Cantonments).
„ Ben. Act 2 (Municipality, Validation and Amendment).
„ E. B. & A. Act 1, s. 74 (Excise).

[1] Repealed in Bengal by Ben. Act 5, 1909, and in Eastern Bengal by Act 1, 1910, which will come into force when notified.

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I.—GENERALLY.

"Municipality," "Municipal Authority," etc., defined. *See* WORDS AND PHRASES.

Power to prohibit levy of tax payable by military men or volunteers or by Government; Government to pay such taxes, or sum in lieu thereof . . . . . Act 11, 1881.

Ss. 4 and 5 of Act 11, 1881, as to payment of taxes or sum in lieu thereof, not to apply to cantonment included in municipality. Act 15, 1910, s. 18(2).

Local Authorities Loan Act, 1879, not to affect borrowing powers of Calcutta, Madras or Bombay Municipality, or power of any Local Authority to guarantee payment of interest . . . Act 11, 1879, s. 3.

Power to limit operation of enactments relating to municipalities as regards possession or transport of petroleum . . Act 8, 1899, s. 23.

Transfer of public ferry to . . . . . Act 17, 1878, s. 7.

Exemption of Government buildings from municipal building laws, etc. *See* GOVERNMENT BUILDING.

Regulation of sale of poisons in. *See* POISON.

Power to keep registers of births and deaths. *See* REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, ETC.

Protection of game. *See* GAME. . . . . .

Hackney-carriage law for, in municipalities in several provinces. *See* HACKNEY-CARRIAGE.

MUNICIPALITY—*contd.*

I.—GENERALLY—*contd.*

Vaccination in municipalities in certain provinces. *See* VACCINATION.

See also LOCAL AUTHORITY.

II.—AJMERE.

1. Preliminary.

Definitions . . . . . Reg.5,1886,ss.2,41(2),85, *expln.*

2. Constitution and Government.

(*a*) CONSTITUTION OF MUNICIPALITIES.

Procedure for constituting municipality . . . . . Reg.5,1886,ss.3to5.
Power to divide municipality into wards . . . . . ,, ss.9,10.
,, to alter municipal limits; consequences to ensue on alteration . . . . . ,, 154to157.
,, to withdraw municipality altogether from operation of Regulation or Act; consequences to ensue on withdrawal . . . . . ,, s.163.
Municipality not to be included in area subject to Local Board or District Council . . . . . Reg.6,1886,s.3.

(*b*) CONSTITUTION OF MUNICIPAL COMMITTEES.

Appointment or election of members . . . . . Reg.5,1886,ss.6to10, s.145(*a*).
Power to except municipality from provisions relating to election of members of Committee, and to appoint such members as would otherwise have been elected . . . . . ,, s.162.
Time for Committee coming into existence . . . . . ,, s.16.
Term of office of members . . . . . ,, ss.11,14(*3*), 145(*b*).
Resignation or removal of member . . . . . ,, ss.12,13.
Filling of casual vacancies . . . . . ,, ss.14,145(*c*).
Incorporation of Committee . . . . . ,, s.15.
Member deemed to be "Municipal Commissioner" . . . . ,, s.160.
Chairman and Vice-Chairman; election or appointment of . ,, ss.18,19,24.
,, ,, term of office of . . . . ,, ss.20,23(*3*), 145(*b*).
,, ,, resignation or removal of . . . ,, ss.21,22.
,, ,, filling of casual vacancy in office of . . . . . ,, s.23.
Notification of elections, appointments and vacancies . . ,, s.25.

(*c*) CONDUCT OF BUSINESS.

Ordinary and special meetings . . . . . ,, s.28.
Time for holding meetings . . . . . ,, s.27.
Who to be Chairman of meeting . . . . . ,, s.30.
Quorum . . . . . ,, s.29.
Vote of majority ordinarily decisive; Chairman has casting vote ,, s.31.
Certain officers entitled to attend and speak . . . . . ,, s.32.

MUNICIPALITY—*contd.*

II.—AJMERE—*contd.*

2. Constitution and Government—*contd.*

(c) Conduct of Business—*contd.*

Record, signature and publication of proceedings	Reg. 5, 1886,	s. 33.
Language (English or vernacular)	,,	s.145(*d*).
Making of rules or bye-laws as to conduct of business	,,	s.34.
Joint Committees; appointment of, by Municipal Committee and District Board, District Council, Local Board or Cantonment Authority or another Municipal Committee; delegation of powers to, and framing of regulations for	,,	s.26(*1*).

(d) Officers and Servants.

Appointment, remuneration and removal of Secretary to Committee	,,	s.35.
Appointment and remuneration of other officers and servants	,,	ss.36,145(*h*).
Dismissal of Government officials employed under former law	,,	s.17(*e*).
Pensions, gratuities and leave-allowances	,,	ss.37,38.

(e) General Powers of Official Control.

Copy of resolutions of Committee to be sent to District Magistrate or Deputy Commissioner	,,	s.32(*2*).
Commissioner and District Magistrate:		
General powers of control exerciseable by	,,	s.140.
Power of, to suspend action of Committee or Joint Committee; report to higher authority	,,	s.141.
District Magistrate: extraordinary powers of, in case of emergency; report to Commissioner	,,	s.142.
Local Government; power of—		
to provide for performance of duties in default of Committee	,,	s.143.
to supersede Committee in case of incompetency, persistent default or abuse of powers; consequences to ensue on supersession	,,	s.144.
to frame forms and make rules	,,	s.145.
Settlement of differences of opinion between— Municipal Committees, District Boards, District Councils, Local Boards and Cantonment Authorities	,,	s.26(*2*).

3. Taxation.

Taxes which may be imposed	,,	ss.41to43.
Procedure for imposing taxes	,,	s.44.
Power to abolish or reduce tax	,,	s.45.
,, exempt persons and property from taxation	,,	s.46.
,, suspend operation of tax	,,	s.47.
Remission of tax on unoccupied immoveable property	,,	s.617.
Taxes not invalid for defect of form	,,	s.48.
,, when payable	,,	s.49.
,, receipts to be given for	,,	s.50.
Appeal against taxation; limitation	,,	ss.51to53.

MUNICIPALITY—*contd.*

II.—AJMERE—*contd.*

3. Taxation—*contd.*

Assessment and recovery of taxes on immovable property	Reg.5,1886,	ss.55 to 63.
Power to make rules as to assessment and collection of taxes	,,	s.145(*e*)(*2*).
Recovery of taxes by distress and sale	,,	s.153.
,, ,, by process for recovery of arrears of land-revenue	,,	s.63.
Power of entry for discovery of vehicles or animals liable to taxation	,,	s.96.
Octroi; search for, and examination of, articles liable to	,,	ss.64,65.
,, presentation of bill for	,,	s.66.
,, power to make rules as to	,,	ss.116 (*i*),145(*j*).
,, exhibition of tables of	,,	s.145(*j*).
Tolls; exhibition of tables of	,,	s.145(*k*).
Octroi and tolls; seizure and sale of property for recovery of	,,	s.67.

4. Funds and Property.

Municipal Fund; constitution of		s.68.
,, ,, application of	,,	ss.69, 142(*2*), 143(*3*).
,, ,, authority on which money may be paid from	,,	s.145(*b*).
,, ,, custody and investment of	,,	ss.70,71.
,, ,, compensation when payable out of	,,	s.119.
,, ,, accounts, estimates, and sanction to expenditure	,,	s.145(*n*) (*o*).
Municipal property; management of certain public institutions vested in Committee	,,	s.72.
,, ,, conditions on transfer of, by sale, mortgage, lease, etc.	,,	s.145(*g*).
,, ,, acquisition of land for Committee	,,	s.149.
Transfer of public ferry to Municipal Committee	Act17,1878,	s.7.
Allotment for benefit of area excluded from municipality	Reg.5,1886,	s.156,
Disposal of, when municipal area withdrawn from operation of Regulation or Act	,,	s.163.
Contract: procedure for entering into, and mode of executing	,,	ss.39,40.
,, penalty on member, officer or servant of Committee being interested in contract made with Committee	,,	s.146.
Suit against Committee or officer thereof, etc.:		
Notice of	,,	s.147.
Limitation of	,,	s.147.
Liability of member of Committee for loss, waste or misapplication of money or property	,,	s.148.

5. Police.

Committee to maintain police-establishment	,,	s.73.
Pay, leave-allowances, gratuities and pensions of police-establishment	,,	s.74.
Police to consist of body of watchmen or of part of general police-force	,,	s.74.

MUNICIPALITY—*contd.*

II.—AJMERE—*contd.*

5. Police—*contd.*

Appointment, promotion, punishment, duties and powers of watchmen	Reg.5,1886,ss.75to77.	
Duties of police consisting of part of general police-force	,,	s.76.

6. The Public Health, Safety and Convenience.

(*a*) Streets and Public Places.
(*b*) Buildings.
(*c*) Dangerous Buildings and Places.
(*d*) Buildings and Grounds in Insanitary Condition, etc.
(*e*) Deposit and Removal of Rubbish and Offensive Matter.
(*f*) Drains, Latrines and other Receptacles for Filth.
(*g*) Scavenging.
(*h*) Slaughter-places.
(*i*) Bathing and Washing Places.
(*j*) Water-supply.
(*k*) Food, Drink and Drugs.
(*l*) Restraint of Infection.
(*m*) Disposal of the Dead.
(*n*) Offensive and Dangerous Trades.
(*o*) Prevention of Fire.
(*p*) Dangerous Animals.
(*q*) Hackney-carriages, Boats, Job-horses, Porters, etc.
(*r*) Entry and Inspection.
(*s*) Taking of Census and Registration of Births, Marriages and Deaths.
(*t*) Miscellaneous.

(*a*) Streets and Public Places.

Municipal Fund applicable to—		
construction, maintenance, improvement, cleansing and repair of streets, bridges and embankments	Reg.5,1886,s.69(2)(*a*).	
watering and lighting of streets	,,	s.69(2)(*b*).
Acquisition of building sites adjoining new streets	,,	s.78.
Naming of streets; penalty for defacing, etc., name	,,	s.82.
Power to close streets	,,	s.79.
Power to permit temporary occupation of street or land, and charge fees therefor	,,	s.80.
Troughs and pipes for carrying water from buildings	,,	s.100.
Brackets for lamps	,,	s.81.
Removal of encroachment from building; compensation	,,	s.86.
Cutting or trimming of hedges bordering on or branches overhanging street	,,	s.109.
Penalty for unlawfully—		
depositing earth, materials or offensive matter in street or public place	,,	s.121.
allowing offensive matter to flow, etc., into street or public place	,,	s.122.
encroaching on street; altering materials, fences or posts of street or public place; depositing building materials or making excavation in street	,,	s.133.
picketing animals or collecting carts on public ground, or using public ground as halting place or place of encampment, or permitting animals to stray	,,	s.135.
disturbing direction-post or lamp-post or extinguishing public light in street or public place	,,	s.137.
Penalty for driving vehicle in street without proper lights	,,	s.128(rep. pt. Reg. 1, 1905.

See also below, (*p*).

MUNICIPALITY—*contd.*

II.—AJMERE—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*b*) BUILDINGS.

Notice of new building; powers of Committee as to construction; compensation	Reg.5,1886,s.85.
Power to prevent use of inflammable materials in roof or external wall	,, s.83.
Regulation of line of buildings; compensation	,, s.84.
Removal of projection or encroachment from building; compensation	,, s.86(*1*),(*2*).
Permission to put up projecting verandahs, etc.	,, s.86(*3*).
Unauthorised building over public sewer, drain, culvert, water-course or water-pipe	,, s 103.
Attaching to building brackets for lamps	,, s.81.
Numbering of buildings; penalty for defacing, etc., number	,, s.82.

See also below, (*c*), (*d*), (*g*), (*r*).

(*c*) DANGEROUS BUILDINGS AND PLACES.

Repair, protection or enclosure of dangerous building, well, tank or excavation	,, s.106.
Removal or repair of ruinous or dangerous building, wall or structure	,, s.107.

(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.

Cleansing of building for sanitary reasons	,, s.94.
,, filthy building or land	,, s.110.
Clearing away noxious vegetation or undergrowth	,, s.108.
Cutting or trimming of hedges bordering on street or branches overhanging street or source of public water-supply	,, s.109.
Power to prohibit use for human habitation of building unfit for such use; appeal	,, ss.111,120.
Prohibition or regulation of cultivation, use of manure or irrigation injurious to health; compensation; penalty	,, s.113.
Securing or enclosing of untenanted building or land becoming a nuisance	,, s.112.

(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

Places for deposit, and directions for removal	,, s.88.
Penalty for keeping offensive matter more than 24 hours or not in proper receptacle	,, s.123.

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Municipal Fund applicable to construction, etc., of drains and latrines	,, s.69(*2*)(*a*).
Provision of privies or cesspools	,, s.101(*1*).
,, and maintenance of latrines, etc., and urinals for workmen	,, s.101(*2*).
Shutting out of privy from view, etc.	,, s.101(*3*).
Repair or removal of privy, drain, etc.	,, s.102.
Removal or closing of drain, latrine, urinal, cesspool, or other receptacle near source of public water-supply; penalty	,, ss.104,125.
Unauthorised building over public sewer or drain	,, s.103.

MUNICIPALITY—*contd.*

II.—AJMERE—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH—*contd.*

Penalty for unlawfully—
- depositing earth, materials or offensive matter in public sewer or drain . . . . . Reg.5,1886,s.121.
- allowing offensive matter to flow, etc., into sewer or drain . „ s.122.
- making or altering drain leading into public sewer or drain . „ s.124
- making drain, latrine, urinal, cesspool or other receptacle near source of public water-supply . . . . . „ s.125.
- encroaching on public sewer or drain . . . . . „ s.133.

Penalty for not keeping offensive matter in proper receptacle, or for suffering receptacle to be in filthy or noxious state or not cleansing same . . . . . „ s.123.

See also below (*r*).

(*g*) SCAVENGING.

Committee may provide for: entry of premises for purposes of . „ s.98.

(*h*) SLAUGHTER-PLACES.

Places for slaughter of animals for sale; penalty for slaughtering elsewhere . . . . . „ s.89.

Power to inspect slaughter-house, and seize or destroy, etc., animal unfit for human consumption . . . „ s.97.

„ make rules for inspection and regulation of slaughter-houses . . . . . „ s.116(*e*).

(*i*) BATHING AND WASHING PLACES.

Establishment and regulation of . . . . . „ s.87.

(*j*) WATER-SUPPLY.

Municipal fund applicable to—
- construction, etc., of tanks and water-courses . . . „ s.69(*2*)(*a*).
- supply, storage and preservation of water . . . . „ s.69(*2*)(*g*).

Unauthorized building over public water-course or water-pipe . „ s.103.

Removal or closing of drain, latrine, etc., near source of public water-supply . . . . . „ ss.104.125.

Cleansing, repairing, covering, filling up or draining off private tank, well, reservoir, pool or excavation injurious to health or offensive; compensation . . . . . „ s.105.

Repair, protection or enclosure of dangerous well, tank or excavation . . . . . „ s.106.

Cutting or trimming of branches overhanging source of public water-supply . . . . . „ s.109.

Supervision and regulation of sources of public water-supply . „ s.116(*h*).

Penalty for unlawfully making drain, latrine, etc., near source of public water-supply . . . „ s.125.

„ encroaching on public water-course . „ s.133.

MUNICIPALITY—*contd.*

II.—AJMERE—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*k*) FOOD, DRINK AND DRUGS.

Municipal Fund applicable to construction, etc., of markets . Reg.5.1886,s.69(2)(c).
Power to make rules for inspection and regulation of markets . „ s.116(e).
Power to—
inspect market or other place used for sale or storage of food or drink for man, or as a slaughter-house, or for the sale of drugs . . . . . .
seize or destroy, etc., article or animal unfit for human consumption, and . . . . . „ s.97.
remove adulterated or noxious drug and bring same before Magistrate . . . . . .
Penalty for feeding dairy or slaughter animal on deleterious substance . . . . . „ s.127.

(*l*) RESTRAINT OF INFECTION.

Notices and precautions in case of infectious disease in lodging-house . . . . . „ s.116(d).

(*m*) DISPOSAL OF THE DEAD.

Power of Committee to close existing burial or burning ground . „ s.90(1),(2).
Permission of Committee required to forming of new burial or burning ground . . . . . „ s.90(3).
Penalty for burying or burning corpse in ground closed or ground formed without permission . . . . . „ s.90(4).
Control and regulation of use and management of burial and burning grounds . . . . . „ s.116(g).
Routes for removal of corpses . . . . . „ s.91.
Penalty for carrying corpse along prohibited route or so as to cause annoyance to public . . . . . „ s.136.
Appeal from orders relating to . . . . . „ s.120.

(*n*) OFFENSIVE AND DANGEROUS TRADES.

Regulation or prohibition of; penalty; appeal . . . „ ss.114, 115,120.

(*o*) PREVENTION OF FIRE.

Power to prohibit—
use of inflammable materials in roof or external wall . . „ s.83.
stacking or collecting dry grass, straw or other inflammable materials, or placing of mats or thatched huts, or lighting of fires, in any place . . . . . „ s.92.
Power to regulate or prohibit trading in hay, straw, thatching-grass, wood, wool or other dangerously inflammable material, or storing of kerosine, petroleum, naphtha or any inflammable oil or spirit or any explosive substance; appeal . . . „ ss.114, 115,120.

(*p*) DANGEROUS ANIMALS.

Penalty for allowing dangerous dog to be at large unmuzzled in street or public place . . . . . „ s.132.

MUNICIPALITY—*contd.*

AJMERE—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*p*) DANGEROUS ANIMALS—*contd.*

Penalty for not removing elephant or camel on approach of horse . . . Reg.5,1886,s.130.
" unlawfully taking elephant along street . . . . " s.131.

(*q*) HACKNEY-CARRIAGES, BOATS, JOB-HORSES, PORTERS, ETC.

Power to render licenses necessary for vehicles, boats, or animals plying for hire . . . . . " s.116(*a*).
" limit rates for hire of carriages, carts, boats or other conveyances, or of animals hired to carry loads, or for services of porters . . . . . " s.116(*b*).
" limit loads to be carried by such conveyances, vehicles or porters . . . . . " s.116(*b*).
Saving of vehicles to which Hackney-carriage Act, 1879, applies " s.116, prov.
Public conveyances.

(*r*) ENTRY AND INSPECTION.

Power to enter building or land and inspect drains, privies or cesspools; opening of ground to prevent or remove nuisance; notice of entry; payment of expenses . " s.93.
" enter building and direct cleansing for sanitary reasons; notice of entry . . . . . " s.94.
" enter building or land for making survey or valuation, for examining works under construction, for ascertaining course of sewers or drains, or for executing or repairing work; notice of entry . . . . " s.95.
" enter for discovery of vehicles or animals liable to taxation . . . . . " s.96.
Entry for purposes of scavenging . . . . . " s.98(*4*).
Inspection of lodging-houses . . . . . " s.116(*d*).
" of encamping grounds, pounds, sarais or zayats, markets and slaughter-houses . . . . . " s.116(*e*).
Precautions to be observed in entering dwelling . . . . " s.99.

(*s*) TAKING OF CENSUS, AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.

Municipal Fund applicable to . . . . . " s.69(*2*)(*i*).
Power to make bye-laws for—
taking census . . . . . " s.116(*c*).
registration of births, marriages and deaths . . . . " s.116(*c*).

(*t*) MISCELLANEOUS.

Municipal Fund applicable to—
payment of expenses of pauper lunatics . . . . . " s.69(*1*).
" of portion of cost of Provincial Departments for education, sanitation, vaccination, medical relief and public works . . . . . " s.69(*1*).
construction, etc., of schools, hospitals, dispensaries, etc., rest-houses, sarais or zayats, poor-houses, encamping-grounds, pounds and other works of public utility . " s.69(*2*)(*e*).

MUNICIPALITY—*contd.*

II.—AJMERE—*concld.*

6. The Public Health, Safety and Convenience—*concld.*

(*t*) MISCELLANEOUS—*contd.*

Municipal Fund applicable to—*contd.*

grants-in-aid to schools, hospitals, dispensaries, poor-houses, leper asylums, etc. . . . . .
training of teachers and establishment of scholarships . .
relief and relief works in time of famine or scarcity . . — Reg.5,1886,s.69(2).
planting and preservation of trees . . . . . .
public vaccination . . . . . .
sanitary measures . . . . . .
holding of fairs, etc. . . . . .

things likely to promote health, safety, welfare or convenience of inhabitants . . . . . — ,, s.69(2)(k).

Fairs, etc.; holding of . . . . . — ,, s.116(f).

Lodging-houses; regulation, inspection, etc., of . . . . — ,, s.116(d).

Sarais and encamping-grounds: inspection and regulation of . — ,, s.116(e).

Pounds; inspection and regulation of . . . . . — ,, s.186(e).

Penalty for keeping animals so as to be injurious to health, or to become a nuisance . . . . — ,, s.126.

,, discharging fire-arms, or letting off fire-works or fire-balloons, or engaging in dangerous game . — ,, s.129.

,, dangerous quarrying, blasting, cutting of timber or building . . . . . — ,, s.134.

7. Supplemental.

Rules; general power of Committee to make . . . . . — ,, s.116(1).

,, ,, ,, of Local Government to make . . — ,, s.145.

,, penalty for breach of . . . . . — ,, s.116(2).

,, confirmation and publication of . . . . . — ,, ss.116(3), 150(2).

,, to be published in draft . . . . . — ,, s.150.

Notice to fix reasonable time for doing act; Magistrate to determine whether time fixed is reasonable . . — ,, ss.117(1), 138,prov.

,, publication of . . . . . — ,, s.145(2).

,, when not complied with, Committee may perform act . — ,, s.117(2).

,, penalty for not complying with notice or conditions . — ,, s.138.

Recovery of cost of work executed by Committee in default of owner or occupier; deduction from rent of sum paid by occupier; saving of contracts . . . . — ,, s.118.

,, of monies claimable by Committee . . . . . — ,, s.153.

Compensation when payable out of Municipal Fund; application of procedure of Land Acquisition Act for settlement of disputes . . . . . — ,, s.119.

Appeal from orders of Committee; limitation . . . . . — ,, s.120.

,, suspension of action pending . . . . . — ,, s.139.

Prosecutions by whom to be initiated . . . . . — ,, s.151.

,, under other laws not barred, but only one punishment allowed . . . . . — ,, s.152.

Saving of Local Authorities Loan Act, 1879 . . . . . — ,, s.159.

Vacancies and irregularities not to invalidate proceedings . . — ,, ss.48,161.

Powers of Government exerciseable from time to time . . — ,, s.158.

MUNICIPALITY—*contd.*

III.—ASSAM.

Transfer of public ferry to Municipal Commissioners . . . Act17,1878,s.7.

Power to assign to Municipal Commissioners functions and powers of Government officers as to granting and withdrawing licenses for sale of liquor and intoxicating drugs . . [1]Ben.Act7,1878,s.84.

Power of Municipal Commissioners to keep registers of births and deaths. *See* REGISTRATION OF BIRTHS, ETC., B, 1.

IV.—ASSAM (EXCEPT CERTAIN TOWNS).[2]

A.—MUNICIPALITIES PROPER.

1. Preliminary.

Definitions . . . . . Ben.Act5,1876,s.6.

2. Constitution and Government.

(*a*) CONSTITUTION OF MUNICIPALITIES.

Places in which former law in force to become municipalities . Ben.Act5,1876,s.3.

Procedure for constituting new municipality . . . . . „ ss.8,9,11, 12.

Power to transfer municipality from one class to another . . „ s.10.

Uniting of places with municipality . . . . . „ ss.13,14.

(*b*) CONSTITUTION OF MUNICIPAL COMMISSION.

Appointment and election of Commissioners; *ex officio* Commissioner; resignation and removal of Commissioners; tenure of office; retirement by rotation . . . . . „ ss.15to28.

Chairman and Vice-Chairman . . . . . „ ss.18,29,30.

Incorporation of Commissioners . . . . . „ s.31.

(*c*) CONDUCT OF BUSINESS.

Meetings of Commissioners; minutes of proceedings . . . „ ss.40to 45,313(*a*).

Powers of Chairman; delegation of his powers or duties to Vice-Chairman . . . . . „ ss.46,47.

Ward Committees; appointment or election of; powers of; conduct of business by; control over . . . . . „ ss.50to55.

Commissioner or member of Ward Committee not to vote on question affecting himself . . . . . „ s.58.

(*d*) OFFICERS AND SERVANTS.

Appointment, salaries, leave-allowances and removal of . . „ s.48.

Power to take security from . . . . . „ s.49.

Mehters, etc., to give one month's notice of withdrawal from duties . . . . . „ s.195.

Power to make bye-laws as to conduct of . . . . . „ s.313(*c*).

Penalty for taking bribe . . . . . „ s.377.

[1] Ben. Act 7, 1878, will be repealed by E. B. and Assam Act 1, 1910, from the date of its coming into force in the territories to which it extends.

[2] Ben. Act 5, 1876, has been extended to Assam by notification under the Scheduled Districts Act, 1874, but has been repealed in the towns of Dhubri, Dibrugarh, Gauhati and Sylhet, the Sadr Sub-division of the District of Darrang and the Jorhat Sub-Division of the District of Sibsagar by Ben. Act 3, 1864, which has been extended to those towns by notification under the said Scheduled Districts Act.

MUNICIPALITY—*contd.*

IV.—ASSAM (EXCEPT CERTAIN TOWNS)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

2. Constitution and Government—*contd.*

(*e*) GENERAL POWERS OF OFFICIAL CONTROL.

Annual report of Commissioners' proceedings; audit of accounts	Ben.Act5,1876,	ss.72,73.
Power of Commissioner of Division to appoint Committee to report on state of municipality when Commissioners have failed in their duty; power of Local Government to direct District Magistrate to raise funds and execute Chapter II of Part X of Act in default of Commissioners	,,	s.318.

3. Taxation.

Taxes authorized by Act to be deemed to have been imposed in municipalities which were governed under laws repealed by Act	,,	s.7.
Taxes which may be imposed	,,	ss.77,78, 81,82,122, 133,142, 149,151, Sch.III.
Taxes not invalid for defect of form	,,	s.369.
Power to make bye-laws as to collection of taxes	,,	s.313(*b*).
Tax on persons occupying holdings, and rate on holdings:		
Assessment, payment and recovery of; distress and sale; suits	,,	ss.79to 121,Sch.I, 11.
Tax on carriages, horses and other animals:		
Order for imposition of tax; licenses; compounding; list of licenses; entry and inspection: refund of tax	,,	ss.122to 132.
Registration of carts:		
Order for registration; procedure for registration; fee; seizure and sale of unregistered cart	,,	ss.133to 138.
Tolls on ferries, bridges and roads:		
Ferries: order for levy of tolls; toll not leviable unless ferry used; toll to be prepaid; prohibition of private ferries near municipal ferry	,,	ss.142to 147.
Bridges and roads: power to establish toll-bars; power to levy tolls; publication of accounts; cessation of levy of tolls; order for levy of tolls; toll to be prepaid; seizure and sale of property for recovery of toll	,,	ss.149to 154.
Leasing: exhibition of table of tolls; compounding for tolls; police to assist in case of non-payment of toll; penalty for taking unauthorized toll	,,	ss.144,155 to158,160, 161.
Exemptions from taxation:		
Tax on persons occupying holdings:		
Not to be levied in respect of arable land or building used for worship	,,	s.79.
,, ,, public building	,,	s.81.
Power to exempt persons on ground of poverty	,,	s.83.
Exemption when holding vacant	,,	s.87.

MUNICIPALITY—*contd.*

IV.—ASSAM (EXCEPT CERTAIN TOWNS)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

3. Taxation—*contd.*

Exemption from taxation—*contd.*

Rate on holdings :

Holding used as place of worship exempted . . . Ben.Act5,1876,s.90.

Power to reduce or remit rate on ground of hardship . . „ s.97.

Remission or refund when holding vacant . . . „ ss.101, 102.

Tax on carriages, horses and other animals :

Certain property exempted . . . . . „ s.122.

Registration of carts :

Certain carts exempted . . . . . „ s.133.

Tolls on ferries, bridges and roads :

Certain property exempted . . . . . „ s.159.

4. Funds and Property.

Municipal Fund : constitution of . . . . . „ s.59.

„ „ application of . . . . . „ ss.59to 62.

„ „ expenditure outside municipality . . . „ s.62.

„ „ accounts . . . . . „ ss.63,70, 73,74.

„ „ estimates . . . . . „ ss.64to 71,167to 179.

„ „ payment of cost of establishments in offices of District Magistrate and Commissioner of Division . . . . . „ s.74.

„ „ custody and investment of . . . . „ s.75.

„ „ authority on which payments may be made from . . . . . „ s.76.

Market Fund : constitution and application of . . . „ s.301.

Municipal property ; property vested in Commissioners or Committees under former laws to vest in Commissioners constituted under this Act . . . . . „ s.4.

„ „ vesting of property in, and transfer of property to, Commissioners . . . „ ss.32to 35.

„ „ acquisition and transfer of land by Commissioners . . . . . „ ss.36to 38.

„ „ power to assign public ferries to Commissioners . . . . . „ s.139.

„ „ power of Commissioners to declare private ferries to be municipal ferries ; compensation . . . . . „ s.140.

„ „ maintenance and working of ferries . . „ s.141.

„ „ power to assign toll-bar to Commissioners . „ s.148.

„ „ rubbish and offensive matter collected by Commissioners to belong to them . . „ ss.177, 178,206.

MUNICIPALITY—*contd.*

IV.—ASSAM (EXCEPT CERTAIN TOWNS)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

4. Funds and Property—*contd.*

Contracts: power to make; mode of executing	Ben. Act 5, 1876,	s.39.
Liability of Commissioners and Ward Committees; penalty on their being interested in contract made with Commissioners	,,	ss.56, 57.
Suits against Commissioners, etc.: notice; limitation; tender of amends	,,	s.374.

5. Police.

Police to be appointed under Act 5, 1861	,,	s.164.
Employment of, beyond municipality	,,	ss.165, 166.
Estimates of income and expenditure on account of	,,	ss.167 to
Monthly bill for expenses of	,,	s.173.
Investment of Magistrate with powers of District Superintendent of Police	,,	s.174.
Police-officers to assist—		
in seizure of unregistered cart	,,	s.138.
in case of resistance to collection of toll	,,	s.160.
Police-officers to report offences, and may arrest offenders; disposal of persons arrested	,,	s.376.

6. The Public Health, Safety and Convenience.

(*a*) ROADS, ETC.

(*b*) BUILDINGS.

(*c*) DANGEROUS BUILDINGS AND PLACES.

(*d*) BUILDINGS, GROUNDS, ETC., IN INSANITARY CONDITION, ETC.

(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

(*g*) BATHING AND WASHING PLACES.

(*h*) WATER-SUPPLY.

(*i*) FOOD, DRINK AND DRUGS.

(*j*) DISPOSAL OF THE DEAD.

(*k*) OFFENSIVE AND DANGEROUS TRADES.

(*l*) PREVENTION AND EXTINCTION OF FIRE.

(*m*) STABLES, CATTLE-YARDS, ETC.

(*n*) REGISTRATION OF BIRTHS AND DEATHS.

(*o*) MISCELLANEOUS.

(*a*) ROADS, ETC.

Provisions applicable generally:

Commissioners to maintain and repair public roads, bridges and embankments, and may maintain, etc., other roads, bridges and embankments	Ben. Act 5, 1876,	s.61.
Municipal Fund applicable to lighting and watering of roads		
Power to close road temporarily; steps to be taken to prevent accident during repairs	,,	s.213.
Removal of wall, fence or other obstruction or encroachment on road, and of projections from houses; penalty	,,	ss.215 to 220.
Trimming of hedges or trees bordering on or overhanging road; penalty	,,	ss.222, 223.
Naming of roads; penalty for defacing, etc., name	,,	s.232.
Power to make bye-laws for regulating traffic	,,	s.313.

MUNICIPALITY—*contd.*

IV.—ASSAM (EXCEPT CERTAIN TOWNS)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*a*) ROADS, ETC.—*contd.*

Provisions applicable to selected municipalities only :

Removal of projections from houses ; compensation . . . Ben.Act5,1876,ss.251, 252.

Power to allow deposit of movables, making of excavation, etc., in road . . . . . ,, s.253.

Boards to be set up during repairs, etc., penalty . . . . ,, ss.254, 255.

Penalty for throwing offensive matter on to road, or allowing offensive matter to run, etc., on to road . . . . . ,, ss.236, 237.

(*b*) BUILDINGS.

Provisions applicable generally :

Setting back house to regular line of road ; compensation ; penalty . . . . . ,, ss.221,223.

Numbering of houses ; penalty for defacing, etc., number . ,, s.232.

Provisions applicable to selected Municipalities only :

Removal of projections from houses ; compensation . . . ,, ss.251, 252.

Power to prohibit use of inflammable materials in external roofs and walls . . . . . ,, s.256.

Notice of new building ; powers of Commissioners . . . ,, ss.257to 260.

Erection, etc., of huts or sheds, under control of Commissioners ; penalty . . . . . ,, ss.261to 263.

See also below, (*c*), (*d*).

(*c*) DANGEROUS BUILDINGS AND PLACES.

Provisions applicable generally :

Securing and protection of dangerous well, tank or excavation ; penalty . . . . . ,, ss.224, 225.

Repair or renewal of ruinous or dangerous house, etc. ; penalty . . ,, ss.226, 227,229.

(*d*) BUILDINGS, GROUNDS, ETC., IN INSANITARY CONDITION, ETC.

Provisions applicable generally :

Power to require removal of noxious vegetation or draining of land ; acquisition of land ; compensation ; penalty . . ,, ss.204, 205.

Provisions applicable to selected municipalities only :

Block of huts causing risk of disease : inspection and report by medical officers ; execution of works for removal of such risk, and recovery of expenses ; sale of materials if huts pulled down ; powers of Local Government in default of Commissioners . . . . . ,, ss.264to 270.

(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

Provisions applicable generally :

Establishments, carts, etc., for removal ; time of removal ; places for deposit ; penalties . . . . . ,, ss.193, 194,196 to198.

MUNICIPALITY—*contd.*

IV.—ASSAM (EXCEPT CERTAIN TOWNS)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER—*contd.*

Provisions applicable generally—*contd.*

Power to make bye-laws as to disposal of offensive matter, carcasses, etc. . . . . Ben. Act 5, 1876, s.313.

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Provisions applicable generally :

Commissioners to maintain and repair drains, privies, latrines and urinals vested in them, and may construct, etc., others . ,, s.61.

Drains, privies and cesspools :

Control over and inspection of ; opening of ground, and payment of expenses . . . . . ,, ss.199, 200.

Penalty for not keeping in proper state . . . . ,, s.203.

Provision and maintenance, or licensing, of common necessaries ; penalty . . . . . ,, ss.201, 202.

Existing public sewers, drains and other conservancy works to be under control of Commissioners ; power to construct new works . . . . . ,, s.207.

Penalty for encroaching on drain or sewer . . . . ,, s.214.

Power to make bye-laws for regulation of privies and cesspools ,, s.313.

Provisions applicable to selected municipalities only :

Drains ; repair of ; penalty . . . . . ,, s.235.

,, unlawfully making or altering drain leading into public sewer or drain ; penalty . . . . . ,, ss.240, 241.

,, provision of drainage ; penalty . . . . . ,, ss.242, 243.

,, alteration, etc., of drain improperly made . . ,, s.244.

,, penalty for throwing, etc., offensive matter, etc., into sewer or drain . . . . . ,, s.236.

,, ,, for unlawfully constructing, etc., drain . ,, s.245.

Unlawful construction or keeping of drain, latrine, etc., near tank or water-course ; penalty . . . . . ,, ss.246, 248.

Privies and cesspools : regulation of ; penalties . . . ,, ss. 235, 238, 239, 244 to 248.

(*g*) BATHING AND WASHING PLACES.

Provisions applicable generally :

Power to set apart tanks, etc., for bathing and washing . . ,, s.209.

(*h*) WATER-SUPPLY.

Provisions applicable generally :

Commissioners to maintain and repair tanks, ghats, wells and channels vested in them, and may maintain, etc., other tanks, etc. . . . . ,, s.61.

Municipal Fund applicable to supply of water . . .

MUNICIPALITY—*contd.*

IV.—ASSAM (EXCEPT CERTAIN TOWNS)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*h*) WATER-SUPPLY—*contd.*

Provisions applicable generally—*contd.*

Public streams, channels, tanks, etc., to be under control of Commissioners	Ben. Act 5, 1876,	s.208.
Power to set apart tanks, etc., for supply of water for drinking and culinary purposes, and to prohibit fouling of water; penalty	,,	ss.209, 210.
Cleansing or draining-off of injurious or offensive tank, pool or stagnant water; acquisition of land; compensation; penalty	,,	ss.211, 212.

Provisions applicable to selected municipalities only:

Unlawful construction or keeping of drain, latrine, etc., near tank or water-course; penalty	,,	ss.246, 248.

(*i*) FOOD, DRINK AND DRUGS.

Provisions applicable to selected municipalities only:

Drainage, paving and water-supply for places for sale of food and for slaughter-houses; penalty	,,	ss.271, 272.
Entry, under Magistrate's warrant, of premises where article of food or drink unfit for human consumption is offered for sale; search for, and seizure and disposal of article	,,	s.273.
Power of Commissioners to enter and inspect market, shop, building, etc., used for sale of articles of food, or place used as slaughter-house, and to seize, destroy, etc., articles unfit for food	,,	s.274.
Licensing of shops for sale of meat	,,	ss.285, 286.
Definition of "municipal market" and "market"	,,	s.302.
Power to provide municipal market or take lease of market, and charge rents, tolls and fees; recovery of rents, etc.	,,	s.300.
Market Fund: constitution and application of	,,	s.301.
Licensing and registration of markets	,,	ss.303 to 310.
Penalty for using, and closing of, unlicensed market	,,	ss.311, 312.
Power to make bye-laws for regulation of markets	,,	s.313.
Drugs: registration of places for sale of drugs; penalty	,,	ss.275, 276.
,, entry and inspection of places for sale of drugs; removal and disposal of adulterated drugs; compensation	,,	s.277.

(*j*) DISPOSAL OF THE DEAD.

Provisions applicable to selected municipalities only:

Burial and burning grounds:

Power to provide	,,	s.283.
Registration of	,,	s.278.

MUNICIPALITY—*contd.*

IV.—ASSAM (EXCEPT CERTAIN TOWNS)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*j*) DISPOSAL OF THE DEAD—*contd.*

Provisions applicable to selected municipalities only—*contd.*

Burial and burning grounds—*contd.*

Prohibition of use of unregistered ground; penalty	Ben. Act 5, 1876,	ss. 281, 282.
Permission required to making, etc., of	,,	s. 279.
Power to close	,,	s. 280.
Power of Commissioners to bury or burn corpses of paupers free of charge	,,	s. 284.

(*k*) OFFENSIVE AND DANGEROUS TRADES.

Provisions applicable to selected municipalities only:

Licensing of places for carrying on; penalty	,,	ss. 285, 286.
Power to direct discontinuance of; penalty	,,	ss. 287, 288.
S. 285 not to apply to distillieries, warehouses, etc., established or licensed under Eastern Bengal and Assam Act 1, 1910	[1] E. B. & A. Act 1, 1910,	s. 74.

(*l*) PREVENTION AND EXTINCTION OF FIRE.

Provisions applicable to selected municipalities only:

Licensing of yards or depôts for trade in hay, straw, wood, thatching-grass, jute or other dangerously inflammable material, and of store-houses for kerosene, petroleum, naphtha or any inflammable oil or spirit or explosive substance	Ben. Act 5, 1876,	ss. 285, 286.

See also above, (*b*), (*i*).

(*m*) STABLES, CATTLE-YARDS, ETC.

Provisions applicable to selected municipalities only:

Licensing of places for keeping horses, ponies or cattle; penalties	,,	ss. 289 to 291.

(*n*) REGISTRATION OF BIRTHS AND DEATHS.

Provisions applicable generally:

Power to require Commissioners to register births and deaths in accordance with Ben. Act 4, 1873	,,	s. 295.
Appointment of Sub-Registrars at burial or burning-ground; furnishing of particulars to them for registration	,,	ss. 296, 297.
Medical officers to send to Commissioners notice of deaths in hospital	,,	s. 298.
Power to make bye-laws as to	,,	s. 313.

[1] E. B. & A. Act 1, 1910, will come into force when notified.

MUNICIPALITY—*contd.*

IV.—ASSAM (EXCEPT CERTAIN TOWNS)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*concld.*

(*o*) MISCELLANEOUS.

Provisions applicable generally :

Commissioners to maintain and repair certain wharves and jetties, and may construct, etc., others . . . .
Municipal Fund applicable to—
construction, etc., of squares and gardens . . . .
erection and maintenance of offices, etc. . . . .
construction and repair of school-houses . . . .
establishment and maintenance of schools, hospitals and dispensaries . . . . . .
promotion of vaccination . . . . . — Ben. Act 5, 1876, s. 61.

Power to destroy stray dogs . . . . . — " s. 230.

" offer rewards for destruction of noxious animals . — " s. 231.

" make bye-laws for regulating use of fire-arms, fire-works, fire-balloons, etc. . . . . — " s. 313.

Nuisances, public ; power to direct prosecution for . . — " s. 316.

" saving of suits for . . . . . — " s. 378.

Application of Part II of the Village-chaukidari Act, 1870, to municipalities ; duties of Municipal Commissioners . . — " s. 375.

Provisions applicable to selected municipalities only :

Power to prohibit excavations ; penalty . . . . . — " ss. 249, 250.

Licensing of sarais ; penalty . . . . . — " ss. 285, 286.

Restrictions on keeping of pigs, sheep or goats ; penalty . — " ss. 292, 293.

7. Supplemental.

Provisions applicable generally :

Power of Local Government to withdraw Part VI (ss. 177 to 232), or any portion thereof, from any municipality or part thereof . . . . . — " ss. 177, 178.

Rules ; power to make . . . . . — " ss. 16, 51 69.

Bye-laws ; power to make ; penalties for breach of . . — " ss. 313, 315.

" confirmation of . . . . . — " s. 314.

" final publication of . . . . . — " s. 365.

Requisition for execution of work by owner or occupier how to be made and served ; making and disposal of objections to execution ; execution by Commissioners in default of owner or occupier, and payment and apportionment of expenses ; recovery of expenses by occupier from owner . — " ss. 179 to 186, 188.

Limitation of liability of managers, agents and trustees . . — " s. 6(*14*).

Recovery of monies due to Commissioners . . . . . — " ss. 187, 371, 372.

MUNICIPALITY—*contd.*

IV.—ASSAM (EXCEPT CERTAIN TOWNS)—*contd.*

A.—MUNICIPALITIES PROPER—*concld.*

7. Supplemental—*contd.*

Provisions applicable generally—*contd.*

Reference to Civil Court for determination of amount payable by owner or occupier or determination and apportionment of damages or compensation; procedure of Court; costs	Ben.Act5,1876,	ss.189to 191.
Recovery of damages or compensation by distress and sale	,,	s.192.
Power of Commissioners to take possession of building repaired by them until expense of repairs be paid	,,	s.228.
Power of Commissioners to pay compensation	,,	s.373.
Notices and other documents; publication and service of	,,	ss.365, 367.
Notice; service of, on owner or occupier	,,	s.368.
Production of licenses	,,	s.370.
Prosecution: power to direct; expenses of	,,	s.316.
,, initiation and limitation of	,,	s.317.
Fines; levy of	,,	s.366.
Irregularities not to invalidate proceedings	,,	ss.119, 369.

Provisions applicable to selected municipalities only:

Parts VII and IX (ss. 233 to 294, 299 to 312) to apply only to municipalities to which extended by Local Government; procedure for extension	,,	ss.233, 234,299.
Power to suspend or cancel license	,,	s.294.

B.—UNIONS.

Places in which Act 20, 1856, in force to become unions under Act	,,	s.3.

Power of Local Government—

to extend Chapter III (ss. 319 to 350) to city, town, suburb or bazar, and to form unions	,,	ss.320, 322.
to define and vary limits of union, and withdraw union from operation of Chapter III	,,	ss.321, 323.
Continuance of taxes imposed under Act 20, 1856	,,	s.319.
Assessment and levy of tax to pay expenses of police and of cleansing and improving union	,,	ss.323, 324,327, 329to339, Sch.IV.
Constitution and application of Union Fund	,,	s.325.
Estimates	,,	s.326.
Constitution of panchayat for assessment of tax; duration of service; removal of members and filling of casual vacancies	,,	ss.328, 341to343.
Power of Magistrate to assume functions of panchayat	,,	s.340.
Appointment and duties of sadr panchayat	,,	s.344.
,, of tax collectors and establishments	,,	s.345.
Collection and recovery of tax	,,	ss.346, 347.
Naming of streets and numbering of houses	,,	s.349.

MUNICIPALITY—*contd.*

IV.—ASSAM (EXCEPT CERTAIN TOWNS)—*concld.*

B.—UNIONS—*contd.*

Provisions of Chapter II, Part V (ss. 164 to 176), of Act, as to police, applied, with modifications, to unions	Ben. Act 5, 1876	s.348.
Provisions of Chapters I and V (ss. 1 to 6, 365 to 378) of Act applied to unions	,,	s.350.

C.—STATIONS.

Places in which Act 26, 1850, in force to become stations under Act	,,	s.3.
Power of Local Government to extend Chapter IV (ss. 351 to 364) to town or suburb	,,	ss.352 to 355.
Local Government to appoint Commissioners for station	,,	s.356.
Vesting in Commissioners of property held under Act 26, 1850	,,	s.4.
Continuance of taxes imposed under Act 26, 1850	,,	s.351.
Power of Commissioners to make rules as to taxation and administration generally	,,	ss.356, 357.
Constitution and application of Station Fund	,,	ss.358, 359.
Power of Commissioners to make contracts	,,	s.359.
Liability of Commissioners	,,	s 360.
Recovery of taxes and sums due to Commissioners; application of ss. 111 to 120 of Act	,,	s.361.
Annual report by Commissioners to Local Government	,,	s.362.
Power of Local Government to suspend operation of Chapter IV (ss. 351 to 364) and appoint person to report on behaviour of Commissioners	,,	s.363.
Provisions of Chapters I and V (ss. 1 to 6, 365 to 378) of Act applied to stations	,,	s.364.

V.—BENGAL.

Power of Municipal Commissioners to keep registers of births and deaths. *See* REGISTRATION OF BIRTHS, ETC., B, 1.

Powers, etc., of Municipal Commissioners under Fire Brigade Act. *See* FIRE.

Powers, etc., of Municipal Commissioners under Bengal Sanitary Drainage Act, 1895. *See* DRAINAGE, I, C, 3.

Powers of Municipal Commissioners *See* LEPER.

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM[1].

1. Preliminary.

Ben. Act 3, 1884, declared in force in the Santhál Parganas	Reg. 3, 1872, s.3.
Definitions	Ben. Act 3, 1884, ss.2, 6, 15, 141B, 147B, 240, 288, 336.
Repeal and savings	,, ss.2, 367, Sch. VI.

[1] Ben. Act 3 of 1884 has been extended to the towns of Dhubri, Dibrugarh, Gauhati and Sylhet, the Sadar Sub-division of the District of Darrang and the Jorhat Sub-division of the District of Sibsagar in Assam by notification under the Scheduled Districts Act, 1874.

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

1. Preliminary—*contd.*

Repeal of portions of Ben. Act 3, 1884, in Howrah, on extension of portions of the Calcutta Municipal Act, 1899, thereto	Ben. Act 3, 1899, s. 642.
Continuance of former Municipalities	Ben. Act 3, 1884, s. 3.
" " " Commissioners and taxes	" s. 7.
Power to exclude Municipalities from operation of the Bengal Tenancy Act, 1885; such exclusion not to affect prior rights or liabilities	(Ben.) Act 8, 1885, ss. 1(3), 19(2)(am., Ben. Act 1, 1907, ss. 3, 9). (E.B.) Act 8, 1885, ss. 1(3), 19(2)(am. E.B. & A. Act 1, 1908, ss. 3, 9).

2. Constitution and Government.

(*a*) CONSTITUTION OF MUNICIPALITIES.

Procedure for constituting municipality	Ben. Act 3, 1884, ss. 5, 8, 10, Schs. I, II.
Power to withdraw municipality from operation of Act, to alter limits of municipality, to sub-divide municipality into two or more municipalities, or to unite two or more municipalities into one	" ss. 9, 9A.
Consolidation or apportionment of Municipal funds and property when union or sub-division effected	" s. 9B.
Municipalities excluded from jurisdiction of Local Boards, etc.	(Ben., E.B.) Ben. Act 3, 1885, s. 1.

(*b*) CONSTITUTION OF MUNICIPAL COMMISSION.

Number of Commissioners	Ben. Act 3, 1884, ss. 9, 13.
Validation of alteration of number of Commissioners of Santipur Municipality	Ben. Act 2, 1910, s. 3.
Election of Commissioners	Ben. Act 3, 1884, ss. 14, 15, 16.
Appointment of Commissioners	" ss. 14, 16, 17, Sch. I.
Term of office of Commissioners	" ss. 21, 26.
Power to remove Commissioners; consent of Local Government required to their re-election	" ss. 19, 20, 22.
Incorporation of Commissioners	" s. 29.
Chairman and Vice-Chairman:	
Appointment or election of Chairman; election of Vice-Chairman; removal; term of office	" ss. 23 to 26, 26A, 59, Sch. II.
Resignation of; grant of leave to	" ss. 26A, 26B, 27A.
Allowances and leave allowances of	" ss. 28, 59.
Ex officio appointments of Commissioner or Chairman	" s. 25A.
Resignation of Commissioner	" s. 27A(2).
Filling of casual vacancies in office of Commissioner, Chairman or Vice-Chairman	" s. 27.

(*c*) CONDUCT OF BUSINESS.

Meetings of the Commissioners; minutes of proceedings	" ss. 38 to 43, 60, 351A.

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

2. Constitution and Government—*contd.*

(c) CONDUCT OF BUSINESS—*contd.*

Powers of Chairman; delegation of his duties or powers to Vice-Chairman	Ben.Act3,188,ss.44,45.	
Joint Committees; appointment of, by Municipal Commissioners and District Board or Cantonment Authority or other Municipal Commissioners; delegation of powers to, and framing of rules for	,,	s.37A.
	(Ben.,E.B.)Ben.Act3, 1885,s.30.	
Ward Committees:		
Power to divide municipality into wards; appointment or election of Committees	Ben.Act3,1884,ss.50,55.	
Power to make rules as to election of	,,	s.51.
Chairman and Vice-Chairman of	,,	ss.52,54.
Powers of	,,	s.53.
Meetings of; minutes of proceedings	,,	s.54.
Establishments for	,,	s.54.
Removal or resignation of members	,,	s.55.
Commissioner or member of Ward Committee not to vote on question affecting himself	,,	s.58.

(d) OFFICERS AND SERVANTS.

Scale of; appointment, salaries, leave allowances and removal of	,,	ss.46,61.
Power to make bye-laws as to duties, appointment, leave, fining, suspension and removal of	,,	s.351A.
Pensions, gratuities and Provident or Annuity Fund	,,	ss.47,59.
Pensions, gratuities and leave allowances of Government officials employed by Commissioners	,,	s.48.
Commissioners may take security from	,,	s.49.
Mehters, etc., to give one month's notice of withdrawal from duties	,,	ss.173,174 188.
Power to invest certain servants with power to arrest offenders	,,	s.365
Penalty for taking bribe	,,	s.366.

(e) GENERAL POWERS OF OFFICIAL CONTROL.

Certain resolutions of Commissioners to be subject to approval of Local Government	,,	s.59.
Copy of minutes of proceedings to be sent to District Magistrate	,,	s.60.
Control over appointment and dismissal of officers and servants	,,	s.61.
Power of District or Sub-divisional Magistrate to inspect property and documents	,,	s.62.
Power of Commissioner of Division or District Magistrate to suspend action; report to Local Government; powers of Local Government	,,	s.63.
Power of Local Government—		
to provide for performance of duty in default of Commissioners	,,	s.64.
to supersede Commissioners for incompetency, default or abuse of powers; consequences to ensue on supersession	,,	ss.65,66,Schs. I,II.

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

2. Constitution and Government—*concld.*

(e) General Powers of Official Control—*contd.*

Power of Local Government—*contd.*

S. 66 (*b*) to be deemed (in Bengal) to include and always to have included powers and duties which may be exercised or performed by Commissioners at a meeting as well as otherwise . . . . . Ben. Act 2, 1910, s. 2.

Settlement of disputes between Commissioners, District Boards and Cantonment Authorities . . . . . Ben. Act 3, 1884, s. 66A. (Ben., E.B.) Ben. Act 3, 1885, ss. 136, 137.

Control of District Magistrate, Commissioner of Division and Local Government over estimates and expenditure . . Ben. Act 3, 1884, ss. 74 to 80.

Submission of annual report and of registers, etc., to Local Government; audit of accounts by special officer . . . ,, ss. 81, 82.

Delegation of certain of Local Government's powers to Commissioners of Divisions . . . . . ,, s. 29A.

3. Taxation.

Continuance of taxes imposed under former laws . . . . ,, s. 7.

Taxes which may be imposed—

generally . . . . . ,, ss. 85, 86(*a*) to (*c*), 89, Sch. V.

in selected municipalities only . . . . . Ben. Act 3, 1884, ss. 86(*d*) to (*f*), 279, 309, 321, 326.

Taxes not invalid for defect of form . . . . . ,, s. 358.

Recovery of taxes generally . . . . . ,, ss. 360, 361.

Taxes which may be imposed generally:

Tax on persons occupying holdings, and rate on holdings: Assessment, payment and recovery of; revision of assessment; distress and sale; suits . . . . . ,, ss. 87 to 130, Schs. III, IV.

Appointment of assessor of taxes . . . . . ,, s. 111A.

Power to enter, inspect and measure holding . . . ,, ss. 99, 100.

Tax on carriages, horses and other animals:

Order for imposition of tax; licenses; compounding; list of licensees; entry and inspection; refund of tax; prohibition of double fee; meaning of "used in the ordinary course of business" . . . . . ,, ss. 131 to 141B, Sch. V.

Registration of carts:

Order for registration; procedure for registration; fee; seizure and sale of unregistered cart; prohibition of double fee; apportionment of fees; levy of fee when cart registered in more than one municipality; meaning of "used in the ordinary course of business" . . . . . ,, ss. 142 to 147B.

Tolls on ferries, bridges and roads:

Ferries order for levy of tolls; toll not leviable unless ferry used; toll to be prepaid; prohibition of private ferries near municipal ferry . . . . . ,, ss. 151, 152, 154 to 156.

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCESS CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

3. Taxation—*contd.*

Tolls on ferries, bridges and roads—*contd.*

Bridges and roads : power to establish toll-bars ; power to levy tolls ; publication of accounts ; cessation of levy of tolls ; order for levy of tolls ; toll to be prepaid ; seizure and sale of property for recovery of toll . . . . . Ben.Act3,1884,ss.158to 163.

Leasing ; exhibition of table of tolls ; compounding for tolls ; police to assist in case of non-payment of toll ; penalty for taking unauthorized toll . . . . . „ ss.153,164to167, 169,170.

Taxes which may be imposed in selected municipalities only :

Tolls leviable under Canals Act, 1864 :

Power to appoint Commissioners to collect tolls, and power to direct them to cease to levy tolls . . . . (Ben.,E.B.)Ben.Act3,1884, ss.171,172.

Water-rate :

Assessment, payment, collection and recovery of . . Ben.Act3,1884,ss.279(3), 280to286,297.

Remission of tax when premises unoccupied . . . „ ss.282,283.

Application of . . . . . „ s.307.

Lighting-rate :

Assessment and payment of . . . . . „ ss.310to317.

Remission of, when holding unoccupied . . . . . „ s.315.

Application of . . . . . „ s.318A.

Fee for cleansing latrines :

Payment, recovery and application of . . . . . „ ss.322to324.

Power to compound for . . . . . „ s.325.

Power to levy rate per head, in lieu of . . . . . „ s.326.

Power to require list of persons residing in, or habitually resorting to, holding ; penalty . . . . . „ ss.333,334.

Exemptions from taxation :

Tax on persons occupying holdings :

Not to be levied in respect of occupation of place of public worship, public burial or burning ground or public building . . . . . „ ss.87,89.

Power to exempt persons on ground of poverty or when occupation of holding has ceased . . . . . „ ss.91,92.

Exemption when holding vacant . . . . . „ s.95.

Rate on holdings :

Places of public worship and public burial or burning grounds exempted ; power to exempt holding used for purposes of public charity . . . . . „ s.98.

Power to remit payment on ground of hardship . . . . „ s.106.

Remission or refund when holding vacant . . . . . „ ss.110,111.

Tax on carriages, horses and other animals :

Certain property exempted . . . . . „ s.131.

Registration of carts :

Certain carts exempted . . . . . „ s.142.

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

3. Taxation—*concld.*

Exemptions from taxation—*contd.*

Tolls on ferries, bridges and roads :
Certain property exempted . . . . . Ben.Act3,1884,s.168.

Water-rate :
Certain premises exempted . . . . . „ s.279(*3*).

Fee for cleansing latrines :
Certain shops and places of business exempted . . . „ s.322,prov.
„ jails, reformatories and lunatic asylums exempted . „ s.331A.

4. Municipal Fund and Property.

Municipal Fund : constitution of . . . . . „ s.67.
„ „ custody and investment of . . . . . „ s.83.
„ „ application of . . . . . „ ss.64,68,69.
„ „ power to make rules as to application of . . „ s.69B.
„ „ authority on which payments may be made from . . . . . „ s.84.
„ „ receipts and expenditure on account of hospitals and dispensaries . . . . . „ s.69A.
„ „ expenditure outside municipality . . . „ s.70.
„ „ accounts and estimates . . . . . „ ss.69A,71 to 82.

Liability of Commissioners and members of Ward Committees for misapplication of money . . . . . „ s.56.

Municipal property : what property vested in Commissioners . „ ss.4,30.
„ „ power of Commissioners to acquire property „ s.31.
„ „ power to vest hospitals, dispensaries, schools, rest-houses, ghats and markets in Commissioners . . . . . „ ss.32,33.
„ „ power of Commissioners to acquire and dispose of land . . . . . „ ss.34 to 36.
„ „ power to assign public ferries to Commissioners . . . . . „ s.148.
„ „ power of Commissioners to declare private ferries to be municipal ferries ; compensation . . . . . „ s.149.
„ „ maintenance and working of ferries . . „ s.150.
„ „ power to assign toll-bar to Commissioners . „ s.157.
„ „ rubbish, sewage, etc., collected by Commissioners to belong to them . . „ ss.173,174,196.

Consolidation or apportionment of funds and property when municipalities united or municipality sub-divided. „ s.9B.

Contracts : power to make ; mode of executing . . . „ s.37.
„ penalty on Commissioner or member of Ward Committee having interest in contract made with Commissioners . . . . . „ s.57.

Suits against Commissioners, etc. : notice ; limitation ; tender of amends . . . . . „ s.363.

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

5. Police.

Police-officers to assist—

in seizure of unregistered cart	Ben.Act3,1884,	s.147.
in case of resistance to collection of toll	,,	s.169.
Powers of police-officers on occasion of fire	,,	s.349B.
Police-officers to report offences, and may arrest offenders; disposal of persons arrested	,,	s.365.
Power of Local Government to charge cost of police on Port Fund of port in or abutting municipal town	(Ben.,E.B.)Ben.Act3,1867,	ss.8,9.

6. The Public Health, Safety and Convenience.

(*a*) ROADS, ETC.
(*b*) BUILDINGS.
(*c*) DANGEROUS BUILDINGS AND PLACES.
(*d*) BUILDINGS, GROUNDS, ETC., IN INSANITARY CONDITION, ETC.
(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.
(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.
(*g*) BATHING AND WASHING PLACES.
(*h*) WATER-SUPPLY.
(*i*) LIGHTING WITH GAS.
(*j*) FOOD, DRINK AND DRUGS.
(*k*) RESTRAINT OF INFECTION.
(*l*) DISPOSAL OF THE DEAD.
(*m*) OFFENSIVE AND DANGEROUS TRADES.
(*n*) PREVENTION AND EXTINCTION OF FIRE.
(*o*) STABLES, CATTLE-YARDS, ETC.
(*p*) REGISTRATION OF BIRTHS AND DEATH
(*q*) MISCELLANEOUS.

(*a*) ROADS, ETC.

Provisions applicable generally:

Commissioners to maintain and repair public roads and bridges, and may maintain, etc., other roads and bridges. Municipal Fund applicable to lighting and watering of roads	Ben.Act3,1884,	s.69.
Power to close road temporarily; steps to be taken to prevent accident during repairs	,,	s.201.
Removal of wall, fence, or other obstruction of encroachment on road, and of projections from houses; compensation; penalty	,,	ss.202to206, 218.
Removal of fallen house, tree, etc., obstructing public highway; penalty	,,	ss.207,218.
Trimming of hedges or trees bordering on or overhanging road, or causing obstruction or damage to road; penalty	,,	ss.208,218.
Naming of roads; penalty for defacing, etc., name	,,	ss.215,216.
Penalty for encroaching on road	,,	s.217(*5*).
Power to make bye-laws for regulating traffic and preventing obstructions, etc., on or near roads	,,	s.350.

Provisions applicable to selected municipalities only:

Removal of projections from houses; compensation	,,	s.233.
Power to allow deposit of moveables, making of excavation, etc., in road	,,	s.234.
Hoards to be set up during repairs, etc.; penalty	,,	ss.235,273(*1*).
Penalty for unlawfully digging or cutting up public road or thoroughfare	,,	s.269.

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*a*) ROADS, ETC.—*contd.*

Provisions applicable to selected municipalities only—*contd.*

Penalty for throwing offensive matter on to road, or allowing offensive matter to run, etc., on to road . . . . . Ben. Act 3, 1884, s. 270(*1*),(*2*).

Laying of water-pipes under public road or thoroughfare to be executed only by officer of Commissioners . . . s. 302.

(*b*) BUILDINGS.

Provisions applicable generally:

Setting back building to regular line of road or drain; compensation; penalty . . . . . ,, ss. 206, 218.

Numbering of houses; penalty for defacing, etc., number . ,, ss. 215, 216.

Provisions applicable to selected municipalities only:

Removal of projections from houses; compensation . . ,, s. 233.

Power to prohibit use of inflammable materials in external roofs and walls; penalty . . . . . ,, ss. 236, 270(*5*).

Notice of new building; powers of Commissioners; compensation; appeals; penalties . . . . . ,, ss. 237 to 241, 242A, 271, 273(*1*).

Erection, etc., of huts or sheds, under control of Commissioners; penalty . . ,, ss. 243, 244, 267.

See also below, (*c*), (*d*).

(*c*) DANGEROUS BUILDINGS AND PLACES.

Provisions applicable generally:

Securing or protection of dangerous well, tank or excavation; penalty . . . . . ,, ss. 209, 219.

Removal, securing or repair of ruinous or dangerous building, etc.; penalty . . . . . ,, ss. 210, 212, 219.

Provisions applicable to selected municipalities only:

Power to prohibit letting of house which is unstable or has defective drainage or latrine accommodation; appeal; penalty . . . . . ,, ss. 242, 242A, 273 (*1*).

(*d*) BUILDINGS, GROUNDS, ETC., IN INSANITARY CONDITION, ETC.

Provisions applicable generally:

Power to require removal of noxious vegetation, levelling or draining acquisition of land; compensation; penalty . ,, ss. 195, 219.

Securing or removal of untenanted or ruinous building affording facilities for commission of nuisance or harbouring of noxious animals; penalty . . . . . ,, ss. 210A, 219.

Provisions applicable to selected municipalities only:

Block of huts causing risk of disease: inspection and report by medical officers; execution of works for removal of such risk and recovery of expenses; sale of materials if huts pulled down . . . . . ,, ss. 245 to 248.

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

Provisions applicable generally:		
Establishments, carts, etc., for removal; time of removal; places for deposit; penalties	Bom.Act3,1884,	ss.186,187, 189,216,217(*1*).
Power to make bye-laws as to disposal of sewage, carcasses, etc.	,,	s.350.
Provisions applicable to selected municipalities only:		
Licensing and control of persons employed in removing sewage	,,	s.331.

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Provisions applicable generally:		
Commissioners to maintain and repair drains and privies vested in them, and may construct, etc., others	,,	s.69.
Provision of system of drainage. *See below*, (*h*).		
Drains, privies and cesspools:		
Control over and inspection of; opening of ground, and payment of expenses	,,	ss.190,191.
Disinfection of	,,	s.192.
Penalty for not keeping in proper state	,,	ss.217(*3*),329.
Provision and maintenance, or licensing, of common necessaries; penalty	,,	ss.193,194, 217(*2*).
Existing public sewers, drains and other conservancy works to be under control of Commissioners; power to construct new works	,,	s.197.
Removal of fallen house, tree, etc., obstructing public drain; penalty	,,	ss.207,218.
Penalty for encroaching on drain or sewer	,,	s.217(*5*).
Power to make bye-laws as to management of drains, sewers, privies and cesspools	,,	s.350.
Provisions applicable to selected municipalities only:		
Drains; repair of; penalty	,,	ss.224,271.
,, unlawfully making or altering drain leading into public sewer or drain; penalty	,,	ss.226,272.
,, provision of drainage; penalty	,,	ss.227,228, 271.
,, alteration, etc., of drain improperly made	,,	s.229.
,, penalty for throwing, etc., offensive matter, etc., into sewer or drain	,,	s.270(*1*),(*2*).
,, ,, for unlawfully constructing, etc., drain	,,	s.272.
Unlawful construction or keeping of drain, latrine, etc., near tank or water-course; penalties	,,	ss.230,270(*3*), 271.
Privies and cesspools: regulation of; penalties	,,	ss.224,225, 229,231,266, 270(*3*),271,272.
Supply of water for latrines and water-closets	,,	s.296.
Power to maintain establishment for cleansing private privies and cesspools	,,	s.320.
Power for municipal servants to enter premises, etc.	,,	s.330.
Provision of latrines for private premises	,,	s.332.

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH—*contd.*

Provisions applicable to selected municipalities only—*contd.*

Part IX (ss. 320 to 334) not to apply to certain jails, reformatories and lunatic asylums	Ben. Act 3, 1884,	s.334A.

(*g*) BATHING AND WASHING PLACES.

Provisions applicable generally :

Power to set apart wells, tanks, etc., for bathing and washing	,,	s.199.
Power to make bye-laws as to bathing and washing places	,,	s.350.

(*h*) WATER-SUPPLY.

Provisions applicable generally :

Commissioners to maintain and repair tanks, ghats, wells and channels vested in them, and may maintain, etc., other tanks, etc. Municipal Fund applicable to supply of water	,,	s.69.
Public streams, channels, tanks, etc., to be under control of Commissioners	,,	s.198.
Power to set apart wells, tanks, etc., for supply of water for drinking and culinary purposes, and to prohibit fouling of water ; penalty	,,	ss.199,217(*4*).
Power to prohibit use, for drinking, of unwholesome water ; penalty	,,	ss.199A,217 (*4*).
Cleansing, filling-up or draining-off of injurious or offensive well, stagnant water, etc. ; acquisition of land ; compensation ; penalty	,,	ss.200,219.
Trimming of trees overhanging tank or well used for drinking purposes or fouling water ; penalty	,,	ss.208,218.
Penalty for encroaching on aqueduct or water-course	,,	s.217(*5*).
Power to make bye-laws as to water-supply	,,	s.350.

Provision of (i) supply of water for domestic purposes, or (ii) system of drainage :—

Submission of scheme by Commissioners or Joint Committee to Local Government	ss.37B to 37M.
Reference of scheme to Sanitary Board	
Local Government may sanction scheme, with or without alteration, or refer it to Sanitary Board for further consideration	
Distribution of cost of scheme	
Publication of scheme as approved, with particulars	
Final sanctioning or rejection of scheme, or further reference to Sanitary Board	
Carrying out of scheme	
Power for Local Government to appoint officer to execute works	
Advance from public funds for scheme	
Compulsory introduction of scheme	
Application of Part VII (ss. 279 to 307 ; imposition of water-rate, etc.), when water-supply provided under compulsion	
Powers conferred on Commissioners not to be exercised by Chairman	

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*h*) WATER SUPPLY—*contd.*

Provisions applicable generally—*contd.*

Provision of (i) supply of water for domestic purposes, or (ii) system of drainage—*contd.*

Power of District Board to contribute towards cost of municipal water-supply . . . . . (Ben.)Ben.Act3,1885,s. 88A:(ins.Ben.Act5,1908, s.44).

Provisions applicable to selected municipalities only :

Public tanks, water-works, etc., vested in Commissioners . Ben.Act3,1884,s.306.

Commissioners to provide water-supply ; supply for domestic purposes ; pressure ; communication-pipes ; powers of entry and inspection ; supply for business . . . . . ,, ss.287to295.

Supply of water for latrines and water-closets . . . ,, s.296.

Power to supply water for domestic use outside municipality . ,, s.300.

Inspection before making connection with service-pipes ; connection to be made by officer of Commissioners . . . ,, ss.301,302.

Specification and estimate to be sent by owner to occupier, or by occupier to owner, before commencing work . . . ,, s.304.

Owner to bear expense of keeping works in repair ; saving of prior leases . . . . . ,, s.305.

Power to turn off water . . . . . ,, ss.293,297.

Penalties for—

wasting water . . . . . ,, ss.298,299.

unlawfully taking water for use outside municipality . . ,, s.300.

unlawfully flushing, diverting, etc., water . . . . ,, s.303.

Application of water-rate, moneys received for supply of water or execution of works and fines . . . . . ,, s.307.

Unlawful construction or keeping of drain, latrine, etc., near tank or water-course ; penalties . . . . . ,, ss.230,270(3), 271.

(*i*) LIGHTING WITH GAS.

Provisions applicable to selected municipalities only :

Submission of plan to Local Government ; publication and sanctioning or rejection of plan . . . . . ,, s.308.

Alteration of situation of gas-pipe or other gas-work . . ,, ss.317,318.

Application of lighting-rate, moneys received for lighting or for execution of works, and fines . . . . . ,, s.318A.

Application of Part VIII (ss. 308 to 318A) to other systems of lighting involving laying of pipes or wires, etc. . . . ,, s.319.

(*j*) FOOD, DRINK AND DRUGS.

Provisions applicable to selected municipalities only :

Drainage, paving and water-supply for places for sale of food and for slaughter-houses ; penalty . . . . . ,, ss.249,268.

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*j*) FOOD, DRINK AND DRUGS—*contd.*

Provisions applicable to selected municipalities only—*contd.*

Entry, under Magistrate's warrant, of premises where article of food or drink unfit for human consumption is offered for sale ; search for, and seizure and disposal of article . .	Ben. Act 3, 1884, s. 250.
Sale of article of food or drink not of the quality, etc., demanded	„ ss. 251, 251A.
Power of Commissioners to enter and inspect market, shop, building, etc., used for sale or storage of articles of food, or place used as slaughter-house, and to seize, destroy, etc., articles unfit for food	„ ss. 251B, 251C.
Compulsory sale of article of food for purposes of analysis .	„ s. 251D.
Definition of "municipal market" and "market" . .	„ s. 336.
Power to provide municipal market or take lease of market, and charge rents, tolls and fees ; recovery of rents, etc. .	„ s. 335.
Licensing and registration of markets	„ ss. 337 to 343.
Penalty for using, and closing of, unlicensed market . .	„ ss. 344, 345.
Ben. Act 7, 1865, may be extended by notification to places in which Ben. Act 3, 1884, is in force .	(Ben. & E. B.) Ben. Act 7, 1865, s. 9 (and see Ben. Act 3, 1884).
„ „ „ repealed as to Suburbs of Calcutta . .	Ben. Act 4, 1876, s. 2.
Slaughter-houses not to be used except under license ; penalty ; exception as to Hindu and Muhammadan places of worship	(Ben. & E. B.) Ben. Act 7, 1865, s. 1.
Power of Municipal Commissioners to provide slaughter-houses and make bye-laws therefor	„ s. 2.
Draining and paving of, and water-supply for, licensed slaughter-houses ; penalty	„ s. 3.
Market : water-supply for meat market ; penalty . . .	„ s. 3.
„ power of Municipal Commissioners to make bye-laws as to inspection, management and sanitation of markets for sale of meat or fish . . .	„ s. 4.
Power of Municipal Commissioners to inspect markets or places used for sale of meat, poultry or fish and slaughter-houses and seize animals and articles unfit for human consumption ; destruction or disposal of things seized ; penalty on owner .	„ s. 5.
Power of Magistrate, on conviction, to suspend or revoke license for slaughter-house	„ s. 6.
Penalty for using slaughter-house during suspension or after revocation of license	„ s. 7.
Application of certain provisions of Ben. Act 3, 1884 . .	„ ss. 4, 8 (and see Ben. Act, 3, 1884).
Drugs ; registration and licensing of shops, etc., for retail sale of drugs ; licensing of compounders ; penalties . .	Ben. Act 3, 1884, ss. 252, 275, 276.
„ entry and inspection of places for sale of drugs ; removal and disposal of adulterated, inert, unwholesome or noxious drugs ; compensation	„ s. 253.

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*k*) RESTRAINT OF INFECTION.

Provisions applicable generally :

Power to prohibit use, for drinking, of water likely to engender or spread dangerous disease ; penalty . . . . . Ben.Act3,1884,ss.199A, 217(*4*).

Power of District Board to contribute towards cost of measures for preventing plague . . . . . (Ben.)Ben.Act3,1885,s. 88A(ins.Ben.Act5,1908,s. 44).

(*l*) DISPOSAL OF THE DEAD.

Provisions applicable generally :

Power to make bye-laws for regulating cremations, burials and disposal of corpses . . . . . Ben.Act3,1884,s.350.

Provisions applicable to selected municipalities only :

Burial and burning grounds :

Power to provide, and charge fees . . . . . „ s.259.

Registration of . . . . . „ s.254.

Prohibition of use of unregistered ground ; penalty . . „ ss.257,274.

Permission required to making, etc., of . . . . . „ s.255.

Power to close ; appeal . . . . . „ ss.256,256A, 256B.

Licensing of sale of fuel, etc., at burning grounds . . „ s.260A.

Power of Commissioners to cause burial or burning ; recovery of expenses . . . „ s.258.

„ „ to bury or burn corpses of paupers free of charge . . . . „ s.260.

(*m*) OFFENSIVE AND DANGEROUS TRADES.

Provisions applicable to selected municipalities only :

Licensing of places for carrying on ; penalty . . . . „ ss.261,273(*2*), (*3*).

Power to direct discontinuance of ; penalty . . . . . „ ss.262,277.

Prohibition of private kilns ; penalty . . . . . „ ss.262A,273 (*2*).

Nothing in s. 261 to apply to brewery, etc., established or licensed under E. B. A. Act 1, 1910 . . . . . [1]E.B.&A.Act1,1910,s.74.

(*n*) PREVENTION AND EXTINCTION OF FIRE.

Provisions applicable generally :

Power to establish, equip and maintain fire-brigade ; powers of persons superintending brigade at fire . . . . . „ ss.349A,349B.

Municipal Fund applicable to maintenance of fire-brigade . „ s.69(xiv).

Provisions applicable to selected municipalities only :

Licensing of yards or depôts for trade in hay, straw, wood, thatching grass, jute or other dangerously inflammable material, and of store-houses for kerosene, petroleum, naphtha or any inflammable oil or spirit . . . . . „ ss.261,273(*2*), (*3*).

See also above, (*m*), (*b*).

[1] E. B. & A. Act 1, 1910 will come into force when notified.

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

6. The Public Health, Safety and Convenience—*Contd.*

(*o*) STABLES CATTLE-YARDS, ETC.

Provisions applicable to selected municipalities only.

Licensing of places for keeping horses, ponies or cattle; provision of public stables; penalty . . . . . Ben.Act3,1884,ss.263,264, 273(*2*),(*3*),(*4*).

(*p*) REGISTRATION OF BIRTHS AND DEATHS.

Provisions applicable generally:

Power to require Commissioners to register births and deaths in accordance with Ben. Act 4, 1873 . . . . . ,, s.346.

Appointment of sub-registrars at burial or burning ground; furnishing of particulars to them for registration . . ,, ss.347,348.

Medical officers to send to Commissioners notice of deaths in hospital . . . . . ,, s.349.

(*q*) MISCELLANEOUS.

Provisions applicable generally:

Municipal Fund applicable to—

construction, etc., of tramways, squares and gardens . .
erection and maintenance of offices, etc. . . . .
construction and repair of school-houses . . . .
establishment and maintenance of schools, hospitals and dispensaries . . . . . .
promotion of vaccination . . . . . .
acquiring and keeping of open spaces . . . .
training and employment of female medical practitioners and of veterinary practitioners . . . . . ,, s.69.
veterinary purposes . . . . . .
breeding of horses, etc. . . . . .
free libraries . . . . . .
works of public utility . . . . . .
benches for trial of offences . . . . . .
certain travelling expenses . . . . . .

Maintenance and management of High English School by Joint Committee of Municipal Commissioners and members of District Board . . . . . (Ben.,E.B.)Ben.Act3,1885, s.64.

Power to destroy stray dogs . . . . . Ben.Act3,1884,s.213.

,, offer rewards for destruction of noxious animals . ,, s.214.

,, make bye-laws for regulating letting-off of fire-arms, fire-works, fire-balloons or bombs . . . ,, s.350.

Nuisances; power to make bye-laws for preventing . . ,, s.350.

,, public; power to direct prosecution for . . ,, s.352.

,, saving of suits for . . . . . ,, s.367.

Application of Part II of the Village-chaukidari Act, 1870, to municipalities; duties of Municipal Commissioners . . ,, s.364.

Provisions applicable to selected municipalities only:

Power to order survey; application of Calcutta Survey Act, 1887 . . . . . ,, s.223A.

Power to prohibit excavations; penalty . . . . . ,, ss.232,270(*4*).

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*q*) MISCELLANEOUS—*contd.*

Provisions applicable to selected municipalities only—*contd.*

Licensing of lodging-houses or sarais; penalty . . . . . Ben.Act3,1884,ss.261,273(2),(3).

Restrictions on keeping of pigs, sheep or goats; penalty . . ,, ss.265,273(5).

Hilly tracts; special power to make bye-laws for . . . . ,, s.350A.

Hilly tracts:

Darjeeling:

Application of Ben. Act 3, 1884, to . . . . . Ben.Act1,1900,s.2.

Power to include adjacent areas within municipality . . ,, s.3.

Ben. Act 1, 1900, to extend to Darjeeling Municipality without special extension . . . . . Ben.Act3,1884,s.220(prov. added,Ben.Act1,1900,s.13).

Power to close public road or part for repairs or other public purpose . . . . . Ben.Act3,1884,s.201(am. Ben.Act1,1900,s.9).

Power to absolutely close public road in certain cases . . ,, s.201A(ins. Ben.Act1,1900,s.10).

Private road or bridge; control and inspection; control over construction, reconstruction or alteration of; work not to be commenced without written permission . . . . . ,, ss.201B,201C,Sch. A.(ins.Ben.Act1,1900,s.10).

power to require owner to reconstruct, alter, repair, make revetment, etc., or to take order in respect of, when stability or security of hillside or bank threatened . . ,, s.201D(ins.Ben. Act1,1900,s.10).

rules as to construction, etc., of . . . . . ,, s.201F,Sch.A. (ins.Ben.Act1,1900,s.10).

provision or enlargement of waterway on . . . . . ,, s.201E. (ins.Ben.Act1,1900,s.10).

power to close in certain cases . . . . . ,, s.201G (ins.Ben.Act1,1900,s.10).

Removal of materials falling upon road, public or private: disposal of materials . . . . . ,, ss.207,207A(sub. Ben.Act1,1900,s.11).

Power to define character of building, "framed," "masonry" or "hut" . . . . . Ben.Act3,1884,s.6A(ins. Ben.Act1,1900,s.5).

Building regulations:

Roofs or external walls of inflammable material; prohibition and power to order removal of; exceptions . . . ,, s.236(sub.Ben. Act1,1900,s.17).

Buildings not to be erected, etc., except in accordance with provisions of Ben. Act 1, 1900 . . . . . ,, s.237(sub.Ben. Act1,1900,s.17).

Masonry buildings and framed buildings; approval of site; permission to erect, etc.; grounds for refusal; lapse of permission if not acted upon within six months; notice to be given before commencement and after completion; inspection and powers thereon . . . . . ,, ss.238to244H,Sch. C(ins.Ben.Act1, 1900,s.17).

Huts; permission to erect, re-erect or materially alter; grounds for refusal of permission; appeal; lapse of permission if not acted upon within six months; notice of commencement of work; inspection . . . . . ,, ss.244Jto244Q, Sch.C(ins.Ben. Act1,1900, s.17).

Certain buildings exempted from operation of sections 240 to 244Q . . . . . ,, s.244R(ins.Ben. Act1,1900,s.17).

Demolition, alteration or stopping of work unlawfully commenced, carried on or completed . . . . . ,, ss.244Sto 244U(ins.Ben.Act1,1900, s.17).

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*q*) MISCELLANEOUS—*contd.*

Provisions applicable to selected municipalities only—*contd.*

Hilly tracts—*contd.*

Darjeeling—*contd.*

Building regulations—*contd.*

Provision of roof-gutters, down pipes, etc., for carrying water from roof of building	Ben. Act 3, 1884, s.244Z (ins. Ben. Act 1, 1900, s.17).
Power to require owner to take down, secure, repair, etc., building, wall or structure threatening stability or security of any hill-side or threatened by the condition of any hill-side, etc.	" ss.210B, 210C (ins. Ben. Act 1, 1900, s. 12).
Power to prohibit occupation of or to remove persons occupying unsafe or insanitary building	" ss.244V, 244W (ins., Ben. Act 1, 1900, s.17).
Power to prohibit use for dwelling purposes of buildings unfit for human habitation	" s.244X (ins Ben. Act 1, 1900, s.17).
Abatement of overcrowding in dwelling-house, etc.; power to prescribe minimum space necessary for each occupant	" s.244Y (ins., Ben. Act 1, 1900, s.17).
Power to require revetting, turfing, sloping, etc., of any land threatening security of any hill-side: execution of works: rules as to revetting turfing, sloping, etc.	" ss.248A to 248E, Sch. D (ins. Ben. Act 1, 1900, s.18).
Power to inspect drains, privies and cesspools without previous notice to occupier	" s.191 (am., Ben. Act 1, 1900, s.8).
Removal of materials falling into drain, public or private, disposal of materials	" ss.207, 207A (sub. Ben. Act 1, 1900, s.11).
Power to define limit of *jhora*, water-course, etc.	" s.224A (ins. Ben. Act 1, 1900, s.14).
Control over construction, alteration, repair, etc., of private drains; previous written permission required for; rules for	" ss.224B, 229A, Sch. B (ins. Ben. Act 1, 1900, ss.14, 16).
Power to require reconstruction, repair, etc., of private drain and construction of drain for building or land not properly drained	" ss.224C, 227 (ins. Ben. Act 1, 1900, ss. 14, 15).
Power to cause buildings, lands, etc., belonging to different owners to be drained in combination; apportionment of expenses	" s.228 (sub. Ben. Act 1, 1900, s.15).
Sections 175 to 182, Ben. Act 3, 1884, not to apply in certain cases	Ben. Act 1, 1900, s.6.
Requisition for execution of work under Ben. Act 1, 1900, should prescribe time for compliance; power to enforce requisition on default; showing cause and hearing and disposal of objection against requisition in certain cases	Ben. Act 3, 1884, ss.182A, 182B (ins. Ben. Act 1, 1900, s.7).
Penalties	ss.272A to 272E (ins. Ben. Act 1, 1900, s.19).
Power to make bye-laws and to provide fine for breach of bye-laws	" ss.350A, 350B (ins. Ben. Act 1, 1900, s.20).
Power of Local Government to make rules and amend schedules	" s.351B (ins. Ben. Act 1, 1900. s.21).
Power of entry to inspect, survey or execute work	" s.351C (ins. Ben. Act 1, 1900, s.21).

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*contd.*

6. The Public Health, Safety and Convenience—*concld.*

(*q*) MISCELLANEOUS—*concld.*

Provisions applicable to selected municipalities only—*concld*

Hilly tracts—*concld.*

Darjeeling—*concld.*

Building regulations—*concld.*

Appeals to Engineer and Commissioner; procedure in appeals before Commissioner; assessors; limitation of time for appeal	Ben.Act3,1884,ss.351Dto 351H(ins.Ben.Act1,1900, s.21).

Control over porters, etc., in Darjeeling and Kurseong:

Act not to come into force till notified	Ben.Act5,1883,s.2.	
Proclamation of such notification	,,	s.3.
"Coolies" mean porters and include dandy-wallas and other persons employed in carrying, drawing or propelling any vehicle	,,	s.1.
Licensing and registration of coolies	,,	ss.4to7.
Licensed coolies to wear metal badge, under penalty; renewal of badge, on payment	,,	ss.8,9,15.
Power of Municipal Commissioners to fix rates for hire of coolies; such rates to be paid except under special agreement	,,	ss.10,11.
Withdrawal or suspension of license—		
for misconduct	,,	s.12.
on conviction of offence	,,	s.20.
Penalty on coolie—		
for certain offences connected with hiring	,,	s.13.
for working without license, etc.	,,	s.14.
for not surrendering license or badge on expiry of license, etc.	,,	s.16.
for using counterfeit badge	,,	s.17.
for not depositing lost or unclaimed property at police-station	,,	s.18.
for not producing license or badge on being charged with offence	,,	ss.19,20.
Endorsement of conviction on license	,,	s.19.
Penalty for refusing to pay legal fare	,,	s.21.
Jurisdiction of Magistrate	,,	s.22.
Fines to be credited to Municipal Fund	,,	s.23.

7. Supplemental.

Provisions applicable generally:

Power of Local Government to withdraw Part V (ss. 175 to 219), or any portion thereof, from any municipality or part thereof	Ben.Act3,1884,ss.173,174.	
Rules; power to make	,,	ss.15,37A,47,51, 69B,78,351A.
,, sanctioning and publication of	,,	s.351A(2).
Bye-laws; power to make; penalties for breach of	,,	ss.350,350A.
,, confirmation of; publication of, in draft	,,	s.35.
,, final publication of	,,	s.354.

MUNICIPALITY—*contd.*

VI.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT), EASTERN BENGAL AND CERTAIN TOWNS IN ASSAM—*concld.*

7. Supplemental—*contd.*

Provisions applicable generally—*contd.*

Requisition for execution of work by owner or occupier how to be made and served; making and disposal of objections to execution; execution by Commissioners in default of owner or occupier, and payment and apportionment of expenses; recovery of expenses by occupier from owner; reference to Civil Court	Ben. Act 3, 1884,	ss. 175 to 184, 212.
Limitation of liability of managers, agents and trustees	,,	s. 6(11).
Recovery of moneys due to Commissioners	,,	ss. 360, 361.
Power of Commissioners to take possession of building repaired by them until expense of repairs be paid	,,	s. 211.
Power of Commissioners to pay compensation	,,	s. 362.
Reference to Civil Court for determination and apportionment of damages or compensation	,,	s. 185.
Notices and other documents; publication and service of	,,	ss. 354, 356.
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Production of licenses	,,	s. 359.
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,, initiation and limitation of	,,	s. 353.
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Provisions applicable to selected municipalities only:

Parts VII to X (sections 223A to 345) to apply only to municipalities to which extended by Local Government; procedure for extension	,,	ss. 220 to 223.
Rules: power to make; sanctioning and publication of; penalty for breach of	,,	ss. 241, 331.
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VII.—CALCUTTA.

1. Preliminary.

Definitions	Ben. Act 3, 1899,	ss. 3, 4, 6, 51, 164, 352, 418, 458(4), 626.

2. Constitution and Government.

(a) The Municipal Area.

Definition of "Calcutta"	Ben. Act 3, 1899,	s. 3(7), Sch. 1.
Power to alter limits of "Calcutta"; consequences to ensue on alteration	,,	ss. 636 to 639.
Extension of Ben. Act 3, 1899, to Howrah; hearing of objections; effect of extension	,,	ss. 640 to 642.

(b) Municipal Authorities.

Municipal Authorities: functions of	,,	ss. 5, 13.
exercise of functions involving expenditure	,,	ss. 19, 20.

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

2. **Constitution and Government**—*contd.*

(*b*) MUNICIPAL AUTHORITIES—*contd.*

Municipal Authorities: functions of—*contd.*

Corporation: constitution and incorporation of . . . Ben.Act3.1899,ss.6.8.
Municipal government of Calcutta to vest in . ,, s.13(*3*).
Special functions of . . . . . ,, s.14.
Sanction of, required in case of exercise of functions of any municipal authority involving expenditure . . . . . ,, s.19.
Commissioners to be elected or appointed . . ,, s.8.
Term of office of: removal: filling of casual vacancies . . . . . ,, ss.60,61,62.
Disqualification for being Commissioner . . ,, ss.39,57(*3*).
vacation of office on disqualification or absenting from duty . . . . . ,, s.40.
Questions about disqualification to be decided by Chief Judge of Small Cause Court, Calcutta . ,, s.41.
Election of commissioners: qualifications for voters and candidates for election . . ,, ss.37,38,57(*3*).
Election roll; preparation and publication of . ,, ss.36,567,Sch. IV.
Government not to vote . . . . . ,, s.52.
Election of Commissioners . . . . . ,, ss.42to55, 567,Sch.V.
Disputes as to: hearing of election petitions; setting aside of, and re-election . . ,, s.56.
Bribery and corrupt practices at; penalty for bribery . . . . . ,, ss.57,574.
Appointment of Commissioners . . . . ,, ss.58, 59.
Commissioners to be deemed to be public servants . . . . . ,, s.646.
Transaction of business by; ordinary and special meetings; quorum; decision to be by majority of votes; president, casting vote; poll and ballot; rules . . . . . ,, ss.77to85.
Contracts, power of, to enter into: what sanctions required . . . . . ,, s.86.
Seal of; custody and restrictions on affixing of . ,, s.87.
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Power to call for extracts from Proceedings of General Committee or Sub-Committee . : ,, s.101.

General Committee—
Constitution of . . . . . ,, s.9.
Term of office of members of . . . . . ,, s.10.
Power of, to authorise chairman to take action in anticipation of their approval, sanction or consent . . . ,, s.16.

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

2. Constitution and Government—*contd.*

(*b*) MUNICIPAL AUTHORITIES—*concld.*

Municipal Authorities: functions of—*concld.*

General Committee—*contd.*

Transaction of business by; meetings; quorum; decision to be by majority of votes; president; casting vote; rules	Ben.Act3,1899,	ss.90to94.
Sub-committees	,,	s.95.
Bye-laws for conduct of business at meeting of	,,	s.559(*1*).
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Vice-Chairman and Deputy Chairman; appointment, removal, salary, etc., of	,,	ss.25,26,29,30.
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Chairman, Vice-Chairman, Deputy Chairman—		
disqualifications for office of	,,	ss.27,28.
not to engage in other business; exceptions	,,	s.31.
penalty for acquiring interest in contract with Corporation	,,	s.577.
to reside in Calcutta and attend daily at office	,,	ss.32,33.
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(*c*) OFFICERS AND SERVANTS

Disqualifications for holding office, etc.	,,	ss.66,67.
Liability to fine, reduction, suspension, dismissal	,,	s.70.
Engineer, Health Officer, Secretary, Assessor, Collector, Joint Collector, Surveyor, License Officer and any officer whose salary is more than Rs. 1,000 to be appointed by Corporation; salaries of; indebetedness to disqualify for office of	,,	ss.63,67,69.
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Engineer and Health Officer to be whole-time officers	,,	s.71.
Engineer, Health Officer, Secretary, Assessor, Collector, Joint Collector, Surveyor and License Officer to reside in Calcutta	,,	s.72.
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MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

2. Constitution and Government—*concld.*

(c) Officers and Servants—*contd.*

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(d) General Powers of Official Control.

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Power of Local Government to require returns, etc., and depute officers to make inspection, examination and report	,, ss.21, 22.
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3. Taxation.

Taxes imposed	,, ss.188, 198, 203, 208.
Power to impose tax on petroleum introduced into Calcutta for consumption therein	,, s.206.
Power to impose rates on buildings and lands; fixing of rates; consolidated rate	,, ss.147 to 149.
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Tax or rate not invalid for defect of form	,, s.234.
Tax on carriages and animals:	
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Information to be furnished to Commissioners; penalty	,, ss.191, 192, 195, 574, 575.
Liability of person becoming owner or taking charge of carriage or animal in the middle of half-year	,, s.191(2)(4).
Grant of license on payment of tax	,, s.193.
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Livery-stable keeper to be deemed to be owner or in charge of animals in his stable	,, s.191(4).
,, ,, may be required to produce books of account for inspection	,, s.195.
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Seizure and disposal of carriages and animals for non-payment of tax	,, s.196.

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

3. Taxation—*contd.*

Tax on carriages and animals—*contd.*

List of licensees . . . . . Ben. Act 3, 1899, s.197.

Hackney carriage not to be registered under Ben. Act 2, 1891, unless tax for last and next ensuing half-years paid . . „ s.190.

Tax on professions, trades and callings :

License to be taken out annually on payment of fee . . „ s.198.

Power to call for information ; penalty . . . . „ ss.201, 574, 575.

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Power to remit, refund or reduce, or exempt person from payment of, tax . . . . . „ s.198.

Liability to tax how to be determined . . . . . „ s.200, Sch. II.

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Scavenging-tax :

License to be taken out half-yearly on payment of fee ; power to remit fee . . . . . „ ss.203, 559(2), Sch. IX.

Grant of license . . . . . „ s.204.

List of licensees . . . . . „ s.205.

Tax on carts :

Registration and numbering of carts ; fee ; power to remit fee ; appropriation of fees ; exemptions ; seizure and sale of unregistered carts, etc., penalty . . . . . „ ss.208 to 211, 574.

Power to make bye-laws as to driving of registered carts . „ s.559(51).

Tax on petroleum ; bye-laws relating to petroleum . . . „ ss.206, 559(3), 574.

Consolidated rate ; by whom and when payable . . . „ ss.171, 178, 180.

„ „ recovery of portion of, by owner from tenant „ s.172.

„ „ refund of portion of owner's share of, when house or land unoccupied . . . „ ss.173, 175, 176.

„ „ refund of occupier's share of, when house or land unoccupied . . . . . „ ss.174 to 176.

„ „ occupier's share payable from date of re-occupation . . . . . „ s.177.

„ „ power in certain cases to impose occupier's rate on owner ; recovery by owner from occupier . . . . . „ ss.178, 179, 183.

„ „ imposed on bustee land, to be paid by owner ; recovery of share by him from occupiers . „ ss.180 to 184.

„ „ power to require occupier to furnish name and address of owner ; on failure, occupier to pay owner's share ; recovery of such share . „ ss.185, 186.

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Assessment of buildings and land to consolidated rate :

Procedure . . . . . „ ss.157 to 161, 163 to 170, 574.

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

3. Taxation—*concld.*

Assessment of buildings and land to consolidated rate—*contd.*

Appeal to Court of Small Causes; limitation of appeal . . Ben. Act 3, 1899, ss. 161, 163(*3*).

For special provisions relating to assessment, etc., of Port Commissioners of Calcutta, *see* PORT COMMISSIONERS OR TRUSTEES.

Special procedure for recovery, to be in addition to other processes of the consolidated rate; presentation of bill and notice of demand . . . . . ,, s.212.

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Recovery from occupier; occupier may deduct from rent amount of owner's rate paid by or recovered from him . . . ,, s.222.

Purchaser liable for one year's rates unpaid by vendor . . ,, s.223.

Exemptions from taxes:

Certain property exempted from the tax on carriages and animals . . . . . ,, s.188.

Certain carts exempted from registration . . . . . ,, s.208(*1*).

Buildings used for public worship, and registered public burial and burning grounds, exempted from consolidated rate . Power of Corporation to exempt small building and owner of hut from consolidated rate . . . . . ,, s.150.

Rate to be paid on old assessment pending decision of objection to valuation; effect of valuation being amended . . ,, s.187.

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4. Funds and Property.

General Fund; constitution and application of . . . . ,, ss.104, 103, 108.

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Moneys payable to credit of Municipal Funds to be deposited in Bank of Bengal or other bank . . . . . Authority for payment out of Municipal Funds . . . ,, ss.111 to 113.

Budget Estimate; sanction to expenditure; audit and publication of accounts . . . . . ,, ss.120 to 127, 142 to 146, 574, 575.

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

4. Funds and Property—*contd.*

Borrowing powers of Corporation; form and effect of debentures; debentures transferable by endorsement; sinking funds; payment of interest on debt; consolidation of loans, and annual repayments on account thereof	Ben. Act 3, 1899, ss. 128 to 140, Sch. 6.
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Contract:	
Procedure for entering into, and mode of executing; tenders when to be invited	,, ss. 86 to 89.
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Power of Chairman as regards instituting, defending or withdrawing from legal proceedings and obtaining legal advice	,, s. 633.

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Duty of police in respect of unclaimed corpses	,, s. 534.
Police-officers to co-operate with Chairman for enforcing provisions of Act, etc.	,, s. 643(1).
,, to report offences; arrest and detention of offenders	,, s. 643(2).
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6. The Public Health, Safety and Convenience.

(*a*) STREETS AND PUBLIC PLACES.
(*b*) BUILDINGS.
(*c*) BUSTEES.
(*d*) DANGEROUS BUILDINGS AND PLACES.
(*e*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.
(*f*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.
(*g*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.
(*h*) HOUSE-SCAVENGING.
(*i*) SLAUGHTER-PLACES.
(*j*) BATHING AND WASHING PLACES.
(*k*) WATER-SUPPLY.
(*l*) FOOD, DRINK AND DRUGS.
(*m*) RESTRAINT OF INFECTION.
(*n*) DISPOSAL OF THE DEAD.
(*o*) OFFENSIVE AND DANGEROUS TRADES.
(*p*) PREVENTION AND EXTINCTION OF FIRE.
(*q*) HACKNEY-CARRIAGES, AND ANIMALS KEPT FOR PROFIT.
(*r*) ENTRY AND INSPECTION.
(*s*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS AND DEATHS.
(*t*) MISCELLANEOUS.

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*a*) Streets and Public Places.

Funds and property applicable to—

lighting of public streets, places and buildings
watering and cleansing of streets
construction, maintenance, etc., of streets, bridges, etc.
naming of streets
planting trees, and
removal of obstructions and projections — Ben. Act 3, 1899, ss. 104(2), 105(2), 106(2).

Municipal authorities bound to provide for lighting, watering and maintenance of public streets, naming of streets and regulation of new streets — ,, ss. 337, 338, 348, 422.

Public streets: certain public streets and squares vested in Corporation — ,, s. 236.

,, ,, power to make or improve streets, and to acquire premises for those purposes — ,, ss. 354, 356, 357.

,, ,, power to close street and dispose of site; compensation — ,, ss. 354, 355.

,, ,, power to close or restrict traffic during execution of work; facilities to be provided; compensation — ,, ss. 346, 347.

,, ,, prescribing and maintenance of regular line; compensation — ,, ss. 350 to 353, 392.

,, ,, Municipal authorities to maintain, repair and water — ,, ss. 337, 338.

,, ,, powers and prohibitions with respect to obstructions in, encroachments on, or projections over, street from building, etc., and sky signs: compensation — ,, ss. 340 to 342, 344.

,, ,, repair, protection, etc., of dangerous building, tank, etc., near street — ,, s. 343.

,, ,, naming of; penalty for defacing, etc., name — ,, s. 348.

,, ,, gutters and pipes to houses for carrying water; bye-laws as to — ,, ss. 559(19).

,, ,, trimming of hedges or trees bordering on — ,, s. 339.

,, ,, speedy completion of work when street broken up; lighting, etc., place of work at night — ,, s. 345.

,, ,, lighting and cleansing of — ,, ss. 422, 432.

Prohibition of removal, etc., of lamps; damages for negligently or accidentally breaking lamps, etc. — ,, ss. 423, 424, 574, 575.

Laying of gas pipes — ,, s. 425.

Railways, streets, etc., constructed without permission over municipal gas pipes — ,, ss. 427, 574, 575.

Public streets: penalty for unlawfully depositing rubbish or offensive matter in other than appointed place — ,, ss. 436 to 438.

Private streets: making, levelling, paving, etc., of — ,, ss. 358 to 361.

,, ,, conversion of, into public streets — ,, s. 362.

Streets in bustee, shown on standard plan — ,, ss. 416, 417.

Alteration of position of gas-pipes, etc., for repair, etc., of street; compensation — ,, ss. 426, 559 (21).

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(a) STREETS AND PUBLIC PLACES—*contd.*

Steps to be taken by Chairman to guard against accident during construction or repair of street	Ben. Act 3, 1899,	s.345.
Penalties	,,	ss.436, 574, 575.
Power to make bye-laws relating to	,,	s.559(*7*) to (*21*).
Lighting, cleansing, watering and repair by Municipal Corporation of roads and thoroughfares vested in Port Commissioners	Ben. Act 3, 1890,	ss.67, 68.

See also below, (b), (c).

(b) BUILDINGS.

Funds and property applicable to regulation of buildings, numbering of houses, construction, etc., of public halls, offices, etc., and survey of houses and land	Ben. Act 3, 1899,	s.104(2).
Chairman bound to provide for numbering of premises and regulation of new buildings	,,	s.349.
Numbering of houses; penalty for defacing, etc., number; occupier or owner to maintain number and replace it if removed	,,	s.349.
Roofs and external walls not to be made of inflammable materials	,,	s.368.
New building: sanction to be obtained to site; plans to be submitted; powers as to site and construction; compensation; drainage, plinth, privies, ventilation, etc.	,,	ss.363 to 383, Sch. XVII.
Alterations and additions to buildings: application of provisions of Act to	,,	s.391.
Powers as to demolition, alteration and stopping of building unlawfully commenced, carried on or completed; penalties	,,	ss.449 to 452, 580, 581.
Vendor of land sold for sub-division into building-sites bound in certain cases to provide, free of cost, additional land for formation of street	,,	s.366.
Penalty for unlawfully commencing, carrying on or completing building work	,,	s.379.
,, putting building to other than declared use or using building for carrying on offensive trade without previous declaration	,,	ss.582, 583.
New huts: application to be made to Chairman before building or adding to; powers of Chairman and General Committee	,,	ss.384 to 390.
Power to make bye-laws relating to buildings	,,	s.559(23) to (25).
Exemption of certain buildings	,,	s.393.
Compensation to be paid for refusal of permission to build on site falling within alignment of projected street	,,	s.392.
Boards to be put up before erecting or repairing, etc., a building near public street; bye-laws relating to	,,	s.559(*16*).
Penalties	,,	ss.574, 575, 579 to 582.

See also above, (a), and below, (c), (d), (e), (r).

(c) BUSTEES.

Commissioners bound to open out and improve bustees and spend a certain sum thereon annually	,,	s.14(*1*)(*a*).

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*c*) BUSTEES—*contd.*

Power of Commissioners to define limits of bustee	Ben. Act 3, 1899,	s.398.
Preparation of standard plan of bustee	,,	ss.400 to 402.
Bringing of huts, roads, drains, etc., into conformity with standard plan	,,	ss.403 to 405.
Report by medical officers on unhealthy bustees; execution of improvement works in accordance with report and standard plan annexed thereto	,,	ss.406 to 412.
Provisions as to standard plans	,,	ss.414, 415.
Procedure when owner of bustee land desires that it shall cease to be so classed	,,	s.419.
Ownership, etc., of streets, open spaces, etc., in bustees	,,	s.416.
Power for Corporation to acquire unhealthy bustee for purpose of making improvements	,,	s.413.
,, to employ special establishment for cleansing bustees and impose a rate to defray cost	,,	s.420.
,, to require occupiers of bustee to cleanse it	,,	s.421.
"Remodelled bustee" defined	,,	s.418.
Masonry buildings in bustee; application of provisions to	,,	s.399.
Penalties	,,	ss.574, 575.

(*d*) DANGEROUS BUILDINGS AND PLACES.

Funds and property applicable to securing or removal of dangerous buildings and places	,,	s.104(2).
Repair, protection or enclosure of dangerous building, tank, hole, etc.	,,	s.343.
Removal, repair or securing of ruinous or dangerous building; sale of materials and recovery of expenses	,,	ss.442, 443.

See also below, (*o*).

(*e*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.

Power to make bye-laws for removal and disposal of noxious vegetation	,,	s.559(*54*).
Securing, cleansing, etc., of house or land untenanted or in unwholesome state or a nuisance	,,	ss.441, 443.
Cleansing, filling-up or draining-off of well, tank, marshy ground or waste or stagnant water injurious to health or offensive	,,	s.447.
Power to prohibit use for human habitation of building unfit for such use	,,	s.444.
Abatement of overcrowding in dwelling-house	,,	ss.445, 446.

See also below, (*o*).

Penalties	,,	ss.574, 575.

(*f*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

Funds and property applicable to construction and maintenance of buildings for deposit or discharge of night-soil, and to removal and disposal of offensive matter	,,	s.107(2).

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*f*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER—*contd.*

Provision of receptacles, and deposit therein of rubbish and offensive matter from houses in public streets	Ben.Act3,1899,ss.429,430.
Removal of sewage, offensive matter and carcasses of animals	,, ss.431,432,434, 458.
Penalty for keeping offensive matter for more than 24 hours and other offences relating to rubbish, sewage, offensive or filthy matter; presumption against occupier	,, ss.436,437,574, 575.

(*g*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Funds and property applicable to construction and maintenance of drains, latrines, etc.	,, ss.104(2),107(2).
Corporation bound to—	
complete and extend drainage-works and spend a certain sum thereon annually	,, s.14(*1*)(*a*).
provide for maintenance and construction of drains and a sufficient outfall for discharge of storm water and sewage	,, ss.288,289.
Public sewers, drains, etc., vested in Corporation	,, ss.286,287.
Public drains and drains in or alongside public streets to vest in Corporation	,, s.286.
Drains, etc., constructed at charge of municipal funds or private premises to vest in Corporation	,, s.287.
Municipal drains :	
Powers and duties as to construction, improvement, discontinuance and destruction of ; compensation	,, ss.290,291.
Railways, private streets, buildings, etc., constructed without permission over, may be removed	,, s.292.
Communication of drains of local authorities or public drains, lake, etc., water-course, with	,, ss.293,294.
Drainage of premises :	
Right to empty house drain into municipal drain ; restriction on making connection	,, ss.295,296.
Power to require house drains of different owners to be connected with one another ; draining of group of buildings by combined operation	,, ss.297,298.
Power to enforce drainage of undrained premises	,, ss.299,300.
Power to close or limit use of house drain on providing another sufficient drainage at municipal expense in certain cases	,, s.301.
Construction of drain or cesspool beneath building	,, ss.303,304.
Power to require sewage and rain-water drains to be distinct	,, s.302.
Maintenance, repair, cleansing and flushing of house drains in, alongside or under any street for benefit of certain premises only	,, s.305.
Paving of courtyard, alley or passage between buildings, to be paved	,, s.306.
Surface drains for huts	,, s.307.
Rules for construction, laying, maintenance and regulation of drains	,, s.308,Sch.XV.

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*g*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH—*contd.*

Public privies and urinals to be provided or licensed by General Committee : unlicensed person not to keep public privy, etc.	Ben.Act3,1899,	ss.309,310.
Buildings in future to be provided with sufficient privy and urinal	,,	s.311.
Power to require owner of building, land or bustee to provide privy or urinal	,,	s.312.
Power to require provision of privies and urinals for market, railway-station or other place of public resort or for workmen	,,	s.313.
Privies and urinals to be constructed according to rules and requisitions	,,	s.314,Sch.XVI.
Expenses of building, rebuilding or alteration of privy	,,	ss.315,316.
House drains, etc., privies and urinals not belonging to Corporation to be subject to inspection and examination ; power to open ground for inspection and to require repairs, etc., to be made and to stop or demolish drain, etc. ; expenses	,,	ss.317-320,Schs. XV,XVI.
Power to provide for ventilation of drain or cesspool	,,	s.321.
Supervision of laying of underground drains	,,	s.322.
Power of Chairman to himself cause to be done any work which any person has been required to do, when municipal drain, etc., affected	,,	s.323,Sch.XV.
Penalties	,,	ss.574,575.
Sufficient convenient ways, drains, etc., to be provided in executing drainage works ; differences between Chairman and persons affected to be settled by Small Cause Court	,,	s.324.
House drain, cesspool or other filth receptacles near tank, water-course or reservoir	,,	s.325.
Prohibition of certain acts in connection with drains, cesspools, privies, etc.	,,	s.326.
Appeal to General Committee from order or action of Chairman	,,	s.327.
House drains, cesspools, privies, etc., to be under survey and control of General Committee : power to require paving, repairing, etc. : expenses	,,	s.328.
Underground drains connected with public sewer to be made by licensed plumber only ; penalty for breach of rules by licensed plumber	,,	ss.332,335.
Steps to be taken by Chairman to guard against accident during construction or repair of sewer or drain	,,	s.345.
Penalty for keeping offensive matter for more than 24 hours, or suffering receptacle to be in filthy state	,,	s.436(*5*).
Provisions, maintenance and licensing of public necessaries	,,	ss.309,310.
Powers exerciseable beyond Calcutta by Municipal Commissioners and local Magistrates for purpose of making or connecting sewers or drains	,,	s.294.
Power to make bye-laws as to drainage	,,	s.559(*9*)to(*13*).
Power to make bye-laws relating to connection of stables, cattle-sheds, etc., with municipal drain	,,	s.559(*26*).
Provision of water for latrines and water-closets	,,	ss.237,246.

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*h*) HOUSE-SCAVENGING.

Corporation to maintain establishment for removal of sewage from houses having privies not connected with sewers	Ben. Act 3, 1899,	s.435.

(*i*) SLAUGHTER-PLACES.

Municipal slaughter-houses :		
Provision and maintenance of ; power to close and dispose of	,,	ss.477,478.
Power to charge stallage, rent or fee for occupation or use of ; recovery of charges	,,	ss.489,490.
Power to expel person contravening regulations or bye-laws from municipal slaughter-house	,,	s.492.
Butcher in municipal slaughter-house not to act without license	,,	s.494(*a*).
Private slaughter-house :		
License for use of ; fees ; setting apart place for religious sacrifice of animals ; slaughter of animal on occasion of festival or ceremony	,,	s.481.
Paving draining of private slaughter-houses and places set apart for sacrifice of animals ; appeal	,,	s.485.
Regulations and bye-laws ; power to make	,,	ss.488,559(*32*),(*34*),(*35*),(*40*).
Regulations and table of stallage and other charges to be posted up	,,	s.491.
Penalties	,,	ss. 574,575.

(*j*) BATHING AND WASHING PLACES.

Setting apart places for bathing, washing animals or drying clothes and regulation of the use by the public of such places	,,	ss.459,460.
Prohibition of bathing, washing or drying clothes contrary to regulations	,,	s.461.
Prohibition of fouling water by bathing while suffering from disease or by washing animals or steeping noxious matter	,,	s.462.
Penalties	,,	s.574.

(*k*) WATER-SUPPLY.

Funds and property applicable to maintenance of water-works	,,	ss.104,105.
General powers of Corporation in respect of carrying water mains within or without Calcutta	,,	s.281.
Corporation bound to provide supply of water, filtered and unfiltered ; public standposts for supply of filtered water in, for domestic purposes and bathing platforms and supply of filtered water for use on ships	,,	ss.237 to 239,255.
Use of filtered and unfiltered water : filtered water to be used for domestic purposes only : unfiltered water not to be used for domestic purposes	,,	ss.244 to 247.
Supply of unfiltered water for street watering, fire-extinguishing, etc.	,,	s.240.
Continuous system of supplying filtered water to be gradually introduced	,,	s.241.

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*k*) WATER-SUPPLY—*contd.*

Pressure of water; testing purity of water	Ben. Act 3, 1899, ss. 242, 243.
Quantity of water to which occupier of connected building is entitled	,, s. 248.
Supply of water to premises; power to compel owner of building in certain cases to take supply of water	,, ss. 249 to 253.
Supply for business purposes	,, s. 254.
Water connections for premises; service pipes; stop cocks; size of ferrules	,, ss. 256 to 260, Sch. XIV.
Improvement of fittings before applying continuous system of supply	,, s. 263.
Replacing or alteration of defective pipes, taps, fittings, etc., connected with the supply of unfiltered water for latrines and water-closets	,, s. 262.
Work connected with laying on of water, etc., to be done only by licensed plumber; penalty for breach of duty by licensed plumber	,, ss. 322, 335, 574.
Inspection of works by Municipal Engineer before establishing connection with service pipes	,, s. 264.
Connection with service pipes, and laying of supply pipes under public thoroughfare, to be executed in presence of municipal officer	,, s. 260(*3*).
Provision of house connections by owner at request of occupier; recovery of cost from occupier; execution of work by occupier in default of owner, and deduction of cost from rent; reference to General Committee in case of dispute regarding cost or sufficiency of supply	,, ss. 250 to 252, 282.
Works to be kept in repair by owner of house; in default, occupier may repair, and deduct cost from rent	,, s. 265.
Power to enter premises	,, s. 261.
,, turn off or cut off water from premises	,, ss. 283, 269(*2*),(*3*).
Penalties for wasting, diverting, etc., water, damaging pipe, etc.	,, ss. 266, 279(*2*), 574, 575.
Prohibition of fouling of water by certain acts or in carrying on certain trades, etc.	,, ss. 462, 472.
Regulation of consumption of water: prohibition of waste of water: provision of house meters: meters presumed to be correct, testing and replacing of; penalties; meters: prohibition of fraud in respect of or injuring meters	,, ss. 268, 270, 272, 277, 574.
Special provisions regarding supply of filtered water on continuous system: blocks and block meters: prevention of waste: power to cut off supply: meter	,, ss. 267, 269, 270.
Filtered water shown by meter to have been supplied in excess of statutory allowance to be paid for: recovery of dues	,, ss. 271, 272.
Power to require filling up of wells when water-supply provided in street; penalty for non-compliance	,, ss. 284, 574.
Supply of filtered water to adjacent municipalities and cantonments	,, s. 278.
Supply of water to persons residing out of or for use outside Calcutta; penalty	,, ss. 279, 574.

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*k*) WATER-SUPPLY—*contd.*

Public tanks, reservoirs and other water-works, vested in Corporation	Ben.Act3,1899.	s.233.
Unlawful construction or keeping of house drain, cesspool, service privy or other filth receptacle within fifty feet of tank, water-course or reservoir	,,	s.325.
Power to prohibit drinking of water likely to engender or spread dangerous disease	,,	ss.515,574.
,, make bye-laws as to supply and use of water	,,	s.559(*4*)to(*8*).
Powers exerciseable beyond Calcutta by Municipal authorities and local Magistrates for purpose of laying pipes or constructing aqueducts	,,	s.285.
Application of Chapter XX (ss. 236 to 285), and other parts of Act, when environs included in Calcutta for purposes of water-supply	,,	s.280.

(*l*) FOOD, DRINK AND DRUGS.

Meat, fish or four-footed animal not to be sold or exposed for sale outside market except under license; exceptions	,,	s.493.
Licensing of butchers and sellers of meat	,,	s.494.
Prohibition of sale or manufacture of any article of food or drink which is not of the nature, substance or quality which is demanded or which it purports to be	,,	s.495.
Prohibition of sale of diseased or unwholesome animals or articles of food	,,	s.496.
Bye-laws for enforcing cleanliness of milk stores, milk shops and milk vessels	,,	s.599(*28*).
Registration of shops and places for retail sale of drugs; refusal to register; appeal	,,	s.497.
Power to make rules as to qualifications, etc., of compounders	,,	ss.498,499,500.
Power to enter place where unlawful slaughter or sale of flesh is suspected	,,	s.501.
Inspection of articles exposed for sale for food or medicine	,,	s.502.
Seizure, destruction, etc., of unwholesome articles	,,	ss.503to506.
Compulsory sale of article of food for analysis; procedure	,,	s.507.
Food and drugs directed to be destroyed deemed to be property of Corporation	,,	s.508.
Penalties	,,	ss.574,575.
Municipal markets:		
Provision and maintenance of; power to close and dispose of	,,	ss.477,478.
Prohibition of sale in, without license	,,	s.479.
Power to charge stallages, rents and fees for occupation or use of; recovery of charges	,,	ss.489,490.
Power to expel persons contravening regulations or bye-laws from municipal market	,,	s.492.
Private market:		
Not to be newly established without sanction	,,	s.480.
License for keeping open; fee	,,	s.481.
Unlicensed place not to be used as	,,	s.482.

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*l*) FOOD, DRINK AND DRUGS—*contd.*

Private market—*contd.*

Power of Magistrate to close private market held without or in contravention of terms of license, or unlicensed place used as private market; prohibition of sale in such places	Ben. Act 3, 1899,	ss.483, 484.
Paving and draining of; appeal	,,	s.485.
Power to fix limits of private market or bazar	,,	s.486.
Approaches, roads, paths, ways, etc., to, provisions for	,,	s.487.
Regulations and bye-laws relating to markets; power to make	,,	ss.488, 559(*32*) to(*41*).
Regulations and stallage and other charges to be posted up	,,	s.491.
Penalties	,,	ss.574, 575.

(*m*) RESTRAINT OF INFECTION.

Medical practitioners to report to Health Officer cases of dangerous diseases	,,	s.513.
Power to enter and inspect places and take measures to prevent spread of dangerous disease	,,	s.514.
,, remove patients to hospital	,,	s.516.
,, prohibit drinking of water likely to engender or spread dangerous disease	,,	s.515.
Disinfection of buildings and articles	,,	s.517.
Destruction of hut or shed; compensation	,,	s.518.
Provision of places for disinfecting or washing clothing, bedding, conveyance or other infected articles; prohibition of washing infected articles elsewhere; disinfection or destruction under orders of Chairman; compensation	,,	s.520.
Provision of carriages for free conveyance of infected persons or articles	,,	s.524.
Carriage of infected persons in public conveyance; disinfection of conveyance after carrying patient suffering from dangerous disease	,,	ss.522, 523.
Infected article not to be transmitted, etc., without previous disinfection	,,	s.521.
Infected building not to be let without previous disinfection	,,	s.519.
Power of Chairman to take special measures on outbreak or threatened outbreak of dangerous disease or infectious epizootic disease	,,	s.525.
Penalty	,,	ss.574, 575.

Vaccination. *See* VACCINATION, II.

(*n*) DISPOSAL OF THE DEAD.

Registration of burial or burning ground: provision and registration of new places for disposal of the dead	,,	ss.539, 540.
Opening of new or disused places for disposal of the dead	,,	s.541.
Power to direct closing of places and reopening of closed places for disposal of the dead		ss.542, 543.
Register of burials and cremations	,,	s.544.

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*l*) DISPOSAL OF THE DEAD—*contd.*

Prohibition of burial, etc., underneath place of worship or in unregistered place or place ordered to be closed or of unauthorized exhuming of dead body without written permission of Chairman	Ben.Act3,1899,	s.545.
Power to make bye-laws regulating disposal of the dead and inspection, etc., of places for disposal of the dead	,,	s.559(*42*), (*48*).
Penalties	,,	s.574.

See also 5, above.

(*o*) OFFENSIVE AND DANGEROUS TRADES.

Factory, etc., in which it is intended to employ steam, water or other mechanical power, not to be newly established without permission of Chairman : refusal of permission : appeal	,,	ss.463,468.
Power to require owner of factory, bake-house, etc., to take order for effecting cleanliness, ventilation and prevention of overcrowding and danger from machinery : appeal	,,	ss.464(*1*), 468.
Use of steam whistle or steam trumpet in factory, etc.	,,	s.465.
Saving of Ben. Act 3, 1879, and Act 15, 1881	,,	s.464(*2*).
Premises not to be used for carrying on certain trades, etc., without license : license to be affixed in conspicuous part of premises : contents of and fees for licenses : appeal	,,	ss.466, 467,468, Sch.XVIII.
Power to prevent use of premises in particular areas for carrying on certain trades, etc. : procedure	,,	s.469.
Power to direct discontinuance of use of premises for certain trades near dwelling-house : on order for discontinuance being made, Corporation bound to acquire premises ; no compensation for loss	,,	s.470.
Power of Magistrate to order discontinuance in certain cases	,,	s.471.
Prohibition of fouling of water in carrying on certain trades, etc.; power of entry and examination : compensation	,,	s.472.
Inspection of premises used for manufactures, etc.	,,	s.473.
Bye-laws relating to inspection, supervision and control	,,	s.559(*30*).
Provision and maintenance of public wash-houses for washing of clothes	,,	s.474.
Provision of other suitable places for washing of clothes by washermen ; fees	,,	s.475.
Prohibition of washing of clothes by washermen at other places	,,	s.476.
Bye-laws for management and control of wash-houses and washermen	,,	s.559(*31*).
Penalties	,,	ss.574, 575.
Penalty for using building for carrying on offensive trade without previous declaration	,,	s.583.

(*p*) PREVENTION AND EXTINCTION OF FIRE.

Roofs and external walls not to be made of inflammable materials	,,	368.

Powers, etc., of Municipal Commissioners under Fire Brigade Act. *See* FIRE.

See also above, (*o*).

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*q*) HACKNEY-CARRIAGES, AND ANIMALS KEPT FOR PROFIT.

Carriage of infected person in public conveyance; disinfection of conveyance after carrying patient suffering from dangerous disease	Ben. Act 3, 1899, ss. 522, 523.
Owner or driver of public conveyance not bound to carry diseased person except on payment of sum sufficient to meet expenses of disinfecting, etc.	,, s. 522(*2*).
Prohibition as to keeping swine and other animals so as to be a nuisance or dangerous; feeding animals on offensive matter; destruction of stray swine	,, ss. 453, 454.
Power to prevent keeping of milch cattle in particular areas for supplying milk by sale	,, s. 455.
Control over stables, cattle-sheds and cow-houses: power to order discontinuance of use of if not properly constructed	,, ss. 456, 457.
Bye-laws relating to stables, cattle-sheds, dairies, milch cattle, etc.	,, s. 559(*26*), (*29*).
Removal of carcasses of animals: fee for removal	,, s. 458.
Penalties	,, ss. 574, 575.

See also HACKNEY CARRIAGE, II.

(*r*) ENTRY AND INSPECTION.

Power to inspect for discovery of carriages or animals liable to tax	,, s. 196.
Power to inspect building or other premises to ascertain sanitary condition thereof, and to direct cleansing of building	,, ss. 439, 440.
Power to enter house or land to make inspection, survey, measurement, valuation or enquiry or to execute work; notice of entry	,, s. 595.
Power to enter on lands adjacent to work; compensation; notice of entry	,, s. 596.

See also above, (*k*), (*l*), (*m*), (*o*).

(*s*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES.

(*i*) Taking of census:	
Procedure for	,, ss. 546 to 553.
Power to make bye-laws as to	,, s. 559(*49*).
(*ii*) Registration of births and deaths:	
Health Officer to be Chief Registrar; duties of,	,, s. 526(*1*).
Division of Calcutta into districts and appointment of registrars for districts and sub-registrars for burial and burning-grounds	,, s. 526(*2*). (*3*), (*4*).
List of registrars and sub-registrars	,, s. 528.
Register-books	,, s. 529.
Duties of registrars and sub-registrars	,, ss. 527, 530, 537, Schs. XIX, XX.

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*s*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES—*contd.*

(ii) Registration of births and deaths—*contd.*

Information of births and deaths by whom to be given; informant to sign register	Ben. Act 3, 1899,	ss. 531 to 535, Schs. XIX, XX.
Corpse not to be buried or burnt unless certificate produced or entry made in register	,,	s. 536, Sch. XX.
Power to make rules	,,	s. 538.
Power to make bye-laws for securing registration of marriages	,,	s. 559(*50*).
Penalties	,,	ss. 574, 575.

(*t*) MISCELLANEOUS.

Funds and property applicable to— planting and preservation of trees; construction, maintenance, adornment, etc., of public buildings, offices, etc.; construction and maintenance of hospitals; vaccination; maintenance, etc., of squares and gardens; survey of houses and land, and preparation of plans; contributions to cost of public ceremony or entertainment; promotion of primary and technical education; contributions to neighbouring municipality for sanitary purposes; provision of free libraries, and; all objects connected with public safety, health and convenience	,,	s. 14(*2*).
Corporation bound to— provide for completion of drainage works and opening out and improvement of bustees; devote certain sum annually to improvement of the area newly added to Calcutta	,,	s. 14(*1*)(*a*), (*b*).
Power of Corporation to acquire land for improving any part of Calcutta by opening out congested or unhealthy areas, or for providing houses for the poor; scheme of improvements; work to be executed by General Committee; transfer of land, etc., to private person for execution of work	,,	ss. 394 to 397.
Licensed plumbers: bye-laws regarding	,,	ss. 329 to 335, 559 (*14*).
Power to prohibit making of excavations or digging of cesspools, pits, etc.; penalties	,,	ss. 448, 574, 575.
,, take special measures on outbreak of epizootic disease	,,	ss. 525, 574.
Power to prohibit storage of petroleum	,,	s. 206(*1*), (*2*).
Weights and measures:		
Provision and custody of standards	,,	s. 509.
Verification and stamping of, and fees therefor	,,	ss. 510 to 512.

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

6. The Public Health, Safety and Convenience—*concld.*

(*t*) MISCELLANEOUS—*contd.*

Nuisances	Ben.Act3,1899,	s.632.
Penalty for obstructing persons employed by Corporation, etc., or removing mark	,,	ss.585, 647,648
Power to construct, maintain, work or lease railway	,,	ss.554, 555.
,, make bye-laws as to theatres and other places of public resort, recreation and amusement, and lodging-houses	,,	s.559(*52*), (*53*).

7. Supplemental.

Hastings; special provisions for land and buildings in	,,	ss.649to 652.
Rules; general power to make	,,	s.567.
,, penalties for breach of	,,	ss.574, 575.
,, previous publication and sanction of	,,	ss.568, 569.
Bye-laws; power to make	,,	ss.559to 566.
,, confirmation and sanction of	,,	s.566.
,, publication of, in draft	,,	s.565.
,, penalty for breach of	,,	s.561.
,, and regulations, publication of; copies to be printed and sold cheap; exhibitions of, at municipal office and places of public resort	,,	ss.570to 572.
Power of Local Government to cancel	,,	s.57.
Notices, bills, etc.; service of	,,	ss.591to 594,Sch. XXI.
Limitation; period of, for appeal under Act	,,	s.621.
,, ,, for prosecutions	,,	s.631.
Proceedings before Courts of Small Causes	,,	ss.623to 627.
Public notices and advertisements; publication of, in newspapers	,,	ss.587, 588.
Proof of consent of municipal authority or officer	,,	s.589.
Signatures may be stamped	,,	s.590.
Procedure for requiring execution of work, etc., by owner or occupier; hearing of objections; estimate of cost of work; execution of work by Corporation in default of owner or occupier, and recovery of cost	,,	ss.597to 602,605to 607,610.
Improvement expense; power to declare any expense to be an; to be charged on premises in respect of which or for benefit of which the expense is incurred; recovery of; deduction from rent of part of; redemption of charge	,,	ss.606, 607,609
Recovery from occupier of sum due by owner; deduction of same from rent; deduction by occupier from rent to meet payments made by him for which owner is responsible	,,	ss.441, 442,444

MUNICIPALITY—*contd.*

VII.—CALCUTTA—*contd.*

7. Supplemental—*contd.*

Occupier may execute work in default of owner, and deduct cost from rent	Ben. Act 3, 1899,	s.446.
Apportionment between owners and occupiers of expenses incurred by Commissioners in their default	,,	s.443.
Procedure where occupier opposes execution of Act by owner	,,	ss.447, 448.
Power to determine which of several owners or occupiers is entitled to right or subject to duty	,,	s.449.
Relief to agents and trustees	,,	s.613.
Licenses and written permissions granted under Act, rule, etc., to be signed by Chairman; fees chargeable for; production, suspension and revocation of	,,	ss.586, 590.
Production of licenses	,,	s.586(*6*).
Power to appoint Magistrates for trial of municipal offences; to be paid out of the general fund	,,	s.628.
Penalties; daily fine in case of continuing offences	,,	ss.574 to 585.
Cognizance of offences against Act, rule or bye-law	,,	s.629.
Proceedings before Magistrate; hearing in absence of accused if summoned; limitation; complaints as to nuisances	,,	ss.629 to 632.
Compensation may be paid by municipal authority for damage done	,,	s.614.
Damage to property of Corporation to be made good by offender	,,	s.615.
Damages, costs and expenses; determination of, by Court of Small Causes; recovery of	,,	ss.616 to 619.
Recovery of certain dues	,,	s.620.
Vacancies and irregularities not to invalidate proceedings	,,	s.102.

VIII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY).

A.—MUNICIPALITIES PROPER.

1. Preliminary.

Definitions	Bom. Act 3, 1901,	s.3.

2. Constitution and Government.

(*a*) Municipal Districts.

Municipal districts; declaration of; notification and alteration of limits of; erection and maintenance of boundary-marks; power to declare area to cease to be; consequences of such declaration	,,	ss.4, 54(*1*)(*i*).
,, may be periodical or permanent; naming of	,,	ss.5 to 7.
Special provisions relating to declaration, etc., of permanent municipal district; notification and consideration of objections	,,	s.8.

(*b*) Constitution of Municipalities.

Constitution and incorporation of Municipality for each Municipal district; Councillors to be elected and nominated in prescribed proportions; qualifications of voters and candidates; rules for elections; notification of elections and nominations	,,	ss.20, 21, 22.

MUNICIPALITY—*contd.*

VIII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A—MUNICIPALITIES PROPER—*contd.*

2. Constitution and Government—*contd.*

(*b*) CONSTITUTION OF MUNICIPALITIES—*contd.*

Special provisions for permanent municipal districts at hill stations or of small size and for periodical municipal districts.	Bom.Act3,1901,s.14.
Municipal Councillors; disqualifications for; vacation of or removal from office; term of office; filling of casual vacancies; liability of, for misapplication of municipal funds; penalty for being interested in contract with Municipality	,, ss.15 to 20,42,44.
,, ,, penalties	,, s.45.
President and Vice-President; appointment or election of; term of office; vacation of office on absence; removal; filling of casual vacancy in office of	,, s.23.
,, ,, functions of	,, ss.24,25, 46(*b*),(*i*).
Municipality bound to provide for printing of annual administration report	,, s.54(*1*)(*q*).

(*c*) CONDUCT OF BUSINESS.

Time and place for holding meetings; special meetings; notice of meetings; transaction of business at; adjournments	,, 26(*1*)to (*4*),(*8*),(*11*).
Who to be Chairman of meeting	,, 24(*1*)(*a*), 26(*5*).
Quorum	,, s.26(*7*)
Meetings to be ordinarily open to public	,, s.26(*8*).
Vote of majority ordinarily decisive; casting vote	,, 24(*2*),26 (*10*).
Modification and cancellation of resolutions	,, s.26(*12*).
Power of President, or Chairman of Committee, to circulate written proposition for votes	,, s.35.
Notice of meeting to be sent in certain cases to Government Executive Engineer or Educational Inspector	,, s.26(*13*).
Certain officers entitled to attend and speak at, and may be required to attend at, meeting of Municipality	,, s.26(*14*).
Record and signature of proceedings; proceedings to be kept open to inspection	,, s.26(*9*).
Power to make rules as to conduct of business	,, s.46(*a*).
Committees; general, school and other executive committees; consultative committees; filling of casual vacancies	,, ss.27to30, 32.
,, power of Municipality to appoint person not being Councillor to serve on; duties, powers, disqualifications, etc., of such persons.	,, s.31.
,, Chairman of; meetings and quorum; procedure at meetings	,, ss.33,34 46(*c*),(*i*)
,, power of Chairman to circulate written proposition for vote of members of	,, s 35.

MUNICIPALITY—*contd.*

VIII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A—MUNICIPALITIES PROPER—*contd.*

2. Constitution and Government—*contd.*

(c) CONDUCT OF BUSINESS—*contd.*

Committees; subordination of, to Municipality	Bom. Act 3, 1901,	s.36(*1*).
" orders of, subject to revision and appeal	"	s.36(*2*).
Delegation of powers of Municipality	"	s.37.
Proceedings; not invalidated by disqualification or vacancy	"	s.38.
Joint Committee; appointment of, by Municipality and Local Board or Cantonment Committee or any other Municipality; delegation of powers to, and framing of rules for	"	s.39.

(d) OFFICERS AND SERVANTS.

President to dispose of questions relating to service, pay, privileges and allowances of	"	s.24(*1*)(*c*).
Municipal officers and servants not to be interested in contract with Municipality; vacation of office on acquiring such interest; penalty	"	ss.43,44 (*b*).
Penalties	"	s.45.
Power to make rules as to—		
employment, duties, salaries, allowances and punishment of	"	46(*b*),(*c*), (*e*).
grant of leave to	"	s.46(*f*).
grant of pensions, etc., to, and payment of contributions to provident fund for	"	s.46(*g*), (*h*).
security to be given by	"	46(*d*).
Contribution towards pension and leave-allowances of Government officers employed by Municipality; notice to Government before dispensing with their services	"	s.46.
Power of Commissioner to prevent extravagance in establishments	"	s.176.
Penalty on certain classes of officers and servants resigning without giving two months' notice, or absenting themselves from duty, or committing breach of duty; power to dispense with notice; payment of wages where resignation accepted without notice; power to apply these provisions to other classes of servants; copies of Act to be supplied to employés at nominal price	Bom. Act 5, 1890.	

(e) GENERAL POWERS OF OFFICIAL CONTROL.

Collector; general powers of inspection and supervision exercisable by; delegation of such powers to Assistant or Deputy Collector	Bom. Act 3, 1901,	s.173.
" power of, to suspend action of Municipality; report to higher authority	"	s.174.
" extraordinary powers of, in case of emergency; report to Commissioner	"	s.175.
Commissioner of Division; power of, to prevent extravagance in establishments	"	s.176.

MUNICIPALITY—*contd.*

VIII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

2. Constitution and Government—*contd.*

(*e*) General Powers of Official Control—*contd.*

Local Government; power of—	
to require City Municipality to appoint a Chief Officer, Health Officer, or Engineer; to veto appointment; to require delegation of certain powers to Chief Officer	Bom. Act 3, 1901, s. 177.
to provide for performance of duties in case of default of Municipality	,, s. 178.
to supersede Commissioners in case of incompetency, persistent default or abuse of powers; consequences to ensue on supersession	,, s. 179.
General powers of Local Government, Commissioners of Divisions, and Collectors over their subordinates	,, s. 180.
Control of Local Government in educational matters . .	,, s. 57.
Settlement of differences of opinion between Municipal Commissioners, Local Boards and Cantonment Authorities . .	Bom. Act, 1, 1884, s. 36. Bom. Act 3, 1901, s. 39.

(*f*) Miscellaneous.

Power to direct Commissioners of neighbouring Municipality to govern a temporary municipal district	,, s. 14(2).

3. Taxation.

Power to make rules prescribing tolls, cesses, taxes or other imposts to be levied and providing for remission and refund of taxes	Bom. Act 3, 1901, ss. 46(*i*), 60, 61, 62.
Remission of fees	,, s. 46(*j*).
Power to suspend, reduce or abolish tax	,, s. 47.
,, to make bye-law to enforce supply of information as to liability to taxation	,, s. 48(*1*)(*i*).
,, to make bye-laws relating to octroi	,, ss. 48(*1*)(*j*), 75.
Power to impose—	
(1) rates on building or land or both	
(2) water-rates	
(3) general sanitary cess	
(4) lighting-tax	
(5) tax on vehicles, boats or animals used for riding, draught or burden	
(6) tax on dogs	,, s. 59.
(7) tax on pilgrims	
(8) special sanitary cess	
(9) toll on vehicles	
(10) octroi on animals or goods or both	
(11) any other approved tax	
Preliminary procedure to be followed and sanction required, in imposing taxes	,, ss. 59, 60, 61.
Power to Government to require Municipality to impose taxes .	,, s. 74.

MUNICIPALITY—*contd.*

VIII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

3. Taxation—*contd.*

Certain taxes not leviable except with consent on Government property used solely for public purposes	Bom. Act 3, 1901,	s.59, proviso(*a*).
Exemption of troops and Government stores from tolls . .		
Conditions for imposing special sanitary cess	,,	s.59, proviso(*b*).
Power to impose rates, general sanitary cess and lighting-tax as consolidated rate on building or land	,,	s.59, proviso(*c*).
Commencement and duration of levy of taxes	,,	s.62.
Duration of levy of taxes in periodical municipal districts . .	,,	s.14(*3*).
Rate on building or land; assessment of; power to inspect and call for returns from owners and occupiers; preparation of assessment list; making and disposal of objections to valuation or assessment; authentication, custody and inspection of list; amendment of assessment list: periodical revision of list .	,,	ss.63 to 67.
Primary liability to pay; recovery from occupier; remedy of occupier	,,	s.68.
Remission on vacancy	,,	s.69.
Liability of building or land or moveable property therein or thereon for		s.87.
Power to charge at fixed rates or by arrangement for water supplied in lieu of water-rate or to fix special rate in lieu of special sanitary cess or to compound for tax on vehicles or animals; sums so charged to be recoverable as tax . .	,,	ss.71, 46 (*i*).
Power to require Municipality to assign part of pilgrim-tax to Local Boards	,,	s.72.
Power of Government to suspend levy of objectionable taxes .	,,	s.73.
Recovery of tax or other claims recoverable as tax; presentation of bill; notice of demand; warrant; distress and sale of goods; appeal to Magistrate; grant of receipt . . .	,,	ss.82 to 86, 89.
Suspension of power to distrain and sell	,,	s.88.
Octroi and tolls; special provision for imposing octroi; power to search for and examine articles liable to octroi; penalty for evasion of octroi; recovery of octroi and tolls . . .	,,	ss.75-79.
Power to keep account current with firm or public body; monthly settlement of accounts; recovery of amount due as tax . .	,,	s.80.
Collection of octroi by one public body on behalf of others . .	,,	ss.39(*b*), 81.
Power to make rules for recovery of arrears of taxes, with penalty for non-payment; writing off irrecoverable dues .	,,	s.46(*i*), (*j*).
Levy in municipality of tax under Bombay Highway Act, 1883, or contribution from municipal funds for objects of that Act. *See* TAXES.		

4. Municipal Fund and Property.

Power of Municipality to acquire and hold property . . .	,,	s.50(*1*).
Application of municipal property and funds	,,	s.52.
Municipal fund; constitution of	,,	s.51.
,, ,, custody and investment of	,,	s.53

MUNICIPALITY—*contd.*

VIII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

4. Municipal Fund and Property—*contd.*

Municipal fund; compensation when payable out of	Bom.Act3,1901,	s.165(2).
,, ,, accounts, estimates and audit	,,	ss.169 to 172.
,, ,, assignment by District Local Board of proceeds of certain taxes levied by Board in Municipality; expenditure of such moneys on education	,,	s.72.
Municipal property; what property vested in Municipality	,,	s.50(2).
,, ,, management of certain public institutions vested in Municipality	,,	s.58.
,, ,, power to dispose of; previous sanction of Commissioner required to certain leases and transfers	,,	s.40(1), (2).
,, ,, acquisition of land for Municipality	,,	s.41.
,, ,, damage to, to be made good; determination and recovery of amount of damage	,,	s.163.
Payment by Municipality of expenses incurred for checking infectious disease. *See* INFECTIOUS DISEASE.		
Disposal of, when local area ceases to be a municipal district	,,	s.4(4).
Suit by or against Municipality; power to compromise	,,	s.165.
Suit against Municipality or officer or servant, etc.; notice; limitation	,,	s.167.
Contract; power of Municipality to enter into and perform; liability of Municipal funds for; Municipal Councillors not personally liable on	,,	ss.40,42.
Contract; procedure for entering into, and mode of executing	,,	s.40.
,, power to cancel or modify contracts for making grants to educational or charitable institution	,,	s.57.
,, penalty on Municipal Councillor or officer or servant being interested in contract made with Municipality	,,	s.44.

5. Police.

Police to report offences, and to assist Municipal officers and servants	,,	s.168(2).
Arrest by police; detention of person arrested	,,	s.168(1).
Duty of Municipality to provide for salary, expenses, etc., of police guard required	Bom.Act4,1890,	s. 54(1)(r).
Rates not payable by Government on houses, etc., occupied by	,,	s.77(1).

6. The Public Health, Safety and Convenience.

(*a*) STREETS, BRIDGES, PUBLIC PLACES, ETC.
(*b*) BUILDINGS.
(*c*) DANGEROUS BUILDINGS AND PLACES.
(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.
(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.
(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.
(*g*) SCAVENGING.
(*h*) SLAUGHTER-HOUSES.
(*i*) BATHING AND WASHING PLACES.
(*j*) WATER-SUPPLY.
(*k*) FOOD AND DRINK.

MUNICIPALITY—*contd.*

VIII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*l*) RESTRAINT OF INFECTION.
(*m*) DISPOSAL OF THE DEAD.
(*n*) OFFENSIVE AND DANGEROUS TRADES OR PRACTICES.
(*o*) PREVENTION OF FIRE.
(*p*) JOB-HORSES, ETC.
(*q*) ENTRY AND INSPECTION.
(*r*) TAKING OF CENSUS AND REGISTRATION OF BIRTH, MARRIAGES AND DEATHS.
(*s*) MISCELLANEOUS.

(*a*) STREETS, BRIDGES, PUBLIC PLACES, ETC.

Municipality to provide for constructing, altering and maintaining public streets, bridges, causeways and culverts . .	Bom. Act 3, 1901, s. 54 (*1*)(*i*).
Power to make or improve new public streets or roads and building bridges, etc., therefor; power to turn, divert, close public streets or roads; acquisition and sale or leasing of land for building sites	,, ss. 56(*a*), 90(*1*),(*2*).
Municipality to guard against accidents in constructing or repairing streets, etc., and use light at night; penalty for extinguishing light, etc. . . .	,, s. 124.
,, to provide for lighting, watering and cleansing of, and removal of obstructions and projections in, public streets and places	,, s. 54(*1*) (*a*),(*b*),(*c*),(*f*).
Penalty for unlawfully altering, etc., or not restoring, materials, fences, etc., of public street	,, s. 121.
Power to require owners to repair street not being public street, and to declare any such street to be public street . . .	,, s. 90(*3*), (*4*),(*5*).
Making of new streets, under control of Municipality; penalty for disobeying instructions of Municipality	,, s. 91.
Hoards to be put up before erecting, pulling down or repairing building on street; lighting and removal of hoards; penalty .	,, s. 123.
Naming of streets; penalty for defacing, etc., name. . .	,, 54(*1*)(*k*), 116.
Troughs and pipes for carrying water from building . . .	,, s. 114.
Removal of encroachment from building; compensation . .	,, ss. 92, 113 (*3*).
Penalty for placing obstruction or depositing package, etc., in public street; or removing earth, etc., from, or encroaching upon, open spaces	,, s. 122.
Power to permit temporary erection in public street, or temporary piling of fuel in bye-street or space	,, s. 122(*4*).
Depositing timber or building materials or making hole in street; fencing and lighting of hole, etc.; penalty	,, s. 125.
Cutting or trimming of hedges bordering on, or trees or shrubs overhanging, public street	,, s. 118.
Power to make bye-laws relating to	,, s. 48(*1*) (*o*),(*s*),(*t*).
Penalty for allowing offensive matter to flow, etc., upon street or surface drain therein.	,, s. 128.
Penalty for removing offensive matter along street at unauthorised time, or setting down filth receptacle in public place .	,, s. 130.

MUNICIPALITY—*contd.*

VIII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*a*) STREETS, BRIDGES, PUBLIC PLACES, ETC.—*contd.*

Unlawful deposit of offensive matter, rubbish, etc., in street; penalty	Bom. Act 3, 1901, s.127.
Penalty for obeying call of nature in street	
,, tethering animals in public street	,, s.137.
,, loitering or importuning for purposes of prostitution in	,, s.152.

(*b*) BUILDINGS.

Notice of new buildings; powers of Municipality; penalty	,, s.96.
Notice of new range or block of huts or sheds; improvement of huts; powers of Municipality	,, ss.97,98.
Building not to be erected on lower level than will admit of drainage being led into public sewer, etc.	,, s.95.
Regulation of use of inflammable materials in external walls and covering of roofs	,, s.94.
Regulation of line of buildings; removal of projection or encroachment from building; compensation	,, ss.92,93, 110(2), 113(3).
Permission to put up projecting verandahs, etc.; penalty	,, s.113(1),(2).
Affixing brackets for telegraph wires or lamps, and pipes for ventilation of sewers or water works	,, s.115.
Numbering of buildings; penalty for defacing, etc., number	,, ss.54(1), (k),116.
Unauthorised building over sewer, water-course, etc., vested in Municipality; penalty	,, ss.110(2), 122.
Municipality to provide for lighting of public buildings	,, s.54(1)(a).
Power to make bye-laws relating to	,, s.48(1) (n),(o),(p),(s).
Penalty for bill posting, etc., or otherwise defacing building, etc., without consent of owner	,, s.117.

See also below, (*c*), (*d*).

(*c*) DANGEROUS BUILDINGS AND PLACES.

Municipality to provide for securing or removing dangerous buildings or places	,, s.54(1)(g).
Removal or repair of ruinous or dangerous building or wall in street; erection of fence for protection of passengers	,, s.119.

(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.

Commissioners to provide for removal of noxious vegetation and reclaiming of unhealthy localities	,, s.54(1) (c),(g).
Securing, etc., of abandoned or unoccupied premises becoming a nuisance, etc.	,, s.131(3).
Cleansing of building or land for sanitary reasons	,, s.132.

MUNICIPALITY—*contd.*

VIII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.—*contd.*

Cleansing, etc., of building or land in filthy and unwholesome state or a nuisance or overgrown with rank vegetation; penalty	Bom. Act 3, 1901,	s.131.
Power to prohibit use for human habitation of building unfit for such use	,,	s.131(*2*).
Powers for removal, etc., of huts or sheds occasioning risk of disease; compensation for removal	,,	s.98.
Power to abate overcrowding in buildings	,,	s.148.

(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

Hours for removal; properly covered carts or vessels to be used; spilling of offensive matter during removal; routes for removal	,,	s.130.
Penalty for keeping offensive matter more than 24 hours, or not in proper receptacle, or for not properly removing filth	,,	s.129.
Power to establish places beyond municipal limits for disposal of nightsoil, sewage or carcasses of animals	,,	ss.52,141.
Power to make bye-laws regulating conservancy and disposal of carcasses of animals	,,	s.48(1)(*m*).

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Municipality to provide for construction, maintenance, etc., of public latrines, privies, urinals, drains, sewers and drainage-works, and cleansing of public sewers; power to establish and maintain farm or factory for disposal of sewage	,,	s.54(*1*)(*c*),(*i*).
Power to carry drain, sewer, etc., across or under street, cellar, vault, etc., or through or under any land; construction of new drains; compensation	,,	s.100.
Right of owner, etc., of building to drain into municipal drain; effecting connection with municipal drain; power to authorise connecting drain to be carried through land or drain of another; execution of work; compensation	,,	ss.102 to 105.
Provision of drainage for building	,,	s.101.
Cesspools and covered sewers or drains to be provided with proper coverings or means of ventilation	,,	s.99(*2*).
Unauthorised making of drain running into or out from sewer or drain vested in Municipality; penalty	,,	s.110(*1*).
,, building over sewer, drain, culvert, gutter, vested in Municipality; penalty	,,	s.110(*2*).
Provision of privies, water-closets or cesspools	,,	s.106(*1*).
,, and Maintenance of latrines and urinals for workmen, market, school, theatre, etc.	,,	s.106(*2*).
Shutting out of privy from view, etc.	,,	s.106(*3*).
Sewers, drains, privies, house-gullies and cesspools— to be under control and inspection of Municipality private; alteration and maintenance of	,,	ss.99(*1*), 107,111,

MUNICIPALITY—*contd.*

VIII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH—*contd.*

Sewers, drains, privies, house-gullies and cesspools—*contd.*

Private; penalty for constructing, contrary to directions of Municipality, etc.; removal of same	Bom. Act 3, 1901,	s.109.
power to close, on providing other equally effectual drain	,,	s.108.
Removal of encroachment from building; compensation	,,	s.110(*2*).
Power to make bye-laws relating to	,,	s.48(*1*)(*r*).
Penalty for unlawfully putting offensive matter or rubbish into sewer, drain, culvert, tunnel or gutter	,,	s.127.
,, not keeping offensive matter in proper receptacle, or for suffering receptacle to be in filthy or noxious state or not cleansing same	,,	s.129.
Power of Municipality to execute works; expenses	,,	s.112.
Power to construct, etc., drainage works outside municipal district	,,	s.52.
Municipality to guard against accidents in constructing or repairing sewer or drain, and to use light at night; penalty for extinguishing light, etc.	,,	s.124.

(*g*) SCAVENGING.

Municipal Commissioners to provide for	,,	s.54(*1*)(*c*).
Power to provide scavenging; special cess to be paid	,,	s.59(*a*)(*vii*) and proviso (*b*).

(*h*) SLAUGHTER-HOUSES.

Private; licensing of	,,	s.139(*1*).
Power to prohibit use as slaughter-house of any place other than municipal or licensed slaughter-house; penalty for using place as private slaughter-house contrary to directions or without license; power to close private slaughter-house	,,	s.139.
Municipality to provide for construction and maintenance of	,,	s.54(*1*)*i*).
Power to open public slaughter-house, and take fees for use thereof or lease such fees; power to close public slaughter-house	,,	s.140.
Penalty for using public slaughter-house without permission	,,	s.140(*2*).
Power to establish slaughter-houses beyond municipal limits	,,	ss.52,141.
,, make bye-laws for licensing, regulating and inspecting slaughter-houses	,,	s.48(*1*)(*a*),(*b*).

See also below, (*q*).

(*i*) BATHING AND WASHING PLACES.

Municipality to provide for construction and maintenance of baths and washing places	,,	s.54(*1*)(*i*).
Power to make bye-laws regulating use of	,,	s.48(*1*)(*l*).
Provision of	,,	s.133.
Penalty for unlawfully bathing or washing in, or fouling water in	,,	s.134.

MUNICIPALITY—*contd.*

VIII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*j*) WATER-SUPPLY.

Municipality to provide for construction and maintenance of drinking-fountains, tanks, wells, drains, etc., and obtaining of proper and sufficient supply of water	Bom. Act 3, 1901, s.24 (*9*),(*10*).
Power to construct waterworks outside municipal district	,, s.52.
Unauthorised building over water-pipe or water-course vested in Municipality; penalty	,, ss.110(*2*), 122.
Cutting or trimming of trees or shrubs overhanging public tank, well or other source of water-supply	,, s.118.
Powers and duties with regard to dangerous, stagnant or insanitary sources of water-supply; power to prohibit use for drinking purposes of any water-supply which is unfit for such use	,, s.120.
Cleansing, filling-up, draining-off, etc., of pool, ditch, tank, well, etc., injurious to health or offensive	,, s.135.
Penalty for unlawfully putting offensive matter or rubbish into water-course	,, s.127.
,, unlawfully bathing or washing in, or fouling water in, stream, tank, etc.	,, s.134.
Power to make bye-laws for regulating water-supply	,, s.48(*l*)(*k*).

(*k*) FOOD, DRINK AND DRUGS.

Licensing of private markets	,, 139(*1*).
Power to prohibit use as market for sale of food of any place other than municipal or licensed market; penalty for selling in private market contrary to directions or without license; power to close private market	,, s.139.
Municipality to provide for construction and maintenance of markets	,, s.54(*1*)(*i*).
Power to open public market, and take fees for use thereof or lease such fees; power to close public market	,, s.140.
Penalty for selling in public market without permission	,, s.140(*2*).
Search for, inspection, seizure and disposal of unwholesome articles	,, s.142.
Power to make bye-laws for licensing, regulating and inspecting markets and places used for animals the produce of which is sold, dairies, milkstores, etc.	,, ss.48(*1*)(*a*), (*b*),(*d*).

See also below, (*q*); FOOD AND DRINK.

(*l*) RESTRAINT OF INFECTION.

Municipality to—

provide special medical aid and accommodation for the sick in time of dangerous disease and to take measures to prevent, meet, mitigate or suppress epidemic disease	,, s.54(*2*)(*a*).
Power to make bye-laws for enforcing supply of information as to epidemic diseases	,, s.48(*1*)(*h*).

MUNICIPALITY—*contd.*

VIII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*l*) RESTRAINT OF INFECTION—*contd.*

Powers which may be conferred on Municipality for prevention, etc., of dangerous disease; penalty for disobedience of order passed in exercise of such power: compensation for damage caused	Bom. Act 3, 1901, s.144.
Duties of and powers which may be conferred on Municipality on threatened or actual outbreak of dangerous disease	,, s.145.
Withdrawal and modification of powers conferred under section 144 or 145	,, s.146.
Special powers which may be conferred in respect of overcrowded areas	,, s.149.
Municipality to take measures for preventing, meeting, suppressing, etc., infectious disease among cattle	,, s.147.

(*m*) DISPOSAL OF THE DEAD.

Municipality to provide, change and regulate places for; power to make bye-laws regulating	,, s.54(*1*)(*h*).
Power to close places for disposal of the dead	,, s.150.

(*n*) OFFENSIVE AND DANGEROUS TRADES OR PRACTICES.

Municipality to provide for regulating or abating offensive or dangerous trades or practices	,, s.54(*1*)(*e*).
Power to provide suitable places for carrying on	,, s.56(*i*).
Prohibition or regulation of; penalty	,, s.151.
Power to make bye-laws for licensing, inspecting and regulating places used for	,, s.48(*1*)(*b*).
Consumption by furnaces of their own smoke; penalty	,, s.138.

(*o*) PREVENTION OF FIRE.

Municipality to provide for extinguishing fires and protecting life and property when fires occur	,, s.54(*1*)(*d*).
Regulation of use of inflammable materials in external walls and covering of roofs	,, s.94.
Manufactories, etc., involving risk of fire and places used for storing explosive substances or hay, straw, fodder, wood, coal or other combustible material:	
Power to prohibit or regulate; penalty	,, s.151.
,, make bye-laws for licensing, inspecting and regulating	,, s.48(*b*)(*iii*).

(*p*) JOB-HORSES, ETC.

Power to make bye-laws for regulating and inspecting places used for stalling or herding horses or other animals	,, s.48(*1*)(*c*).

(*q*) ENTRY AND INSPECTION.

Power to enter premises and inspect sewer, drain, privy, house-gully or cesspool; opening of ground; payment of expenses	,, s.111

MUNICIPALITY—*contd.*

VIII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*q*) ENTRY AND INSPECTION—*contd.*

Power to enter building or land and direct cleansing for sanitary reasons ; notice of entry	Bom.Act3,1901,s.132.
,, enter building or land for purposes of assessment	,, s.63(*2*).
,, enter building or land to make survey or inspection or to execute work ; notice of entry ; precautions to be observed in entering dwelling	,, s.159.
,, enter and inspect place used for sale or storage of articles of food or drink, or slaughter-house ,, examine such articles, and seize any unfit for food or drink Destruction or disposal of articles unfit for food or drink ; punishment of owner	,, s.142.
Power to make bye-laws for inspection of markets, slaughter-houses and places used for keeping animals or carrying on offensive or dangerous trade	,, s.48(*1*)(*a*),(*b*),(*c*),(*d*).

(*r*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.

Municipality may provide for taking census and must provide for registration of births and deaths	,, ss.54(*1*)(*l*),56(*e*).
Power to make bye-laws for taking census and registering births, marriages and deaths	s.48(*1*)(*f*).

(*s*) MISCELLANEOUS.

Municipality to provide for— public vaccination establishing and maintaining public hospitals and dispensaries public medical relief establishment and maintenance of primary schools relief and relief works in times of famine or scarcity within municipal district maintenance and treatment of lunatics and lepers	,, ss.54(*1*)(*m*),(*n*),(*o*),(*p*),54(*2*)(*b*),55.
erecting or maintaining public parks, gardens, libraries, museums, colleges, schools (not being primary), lunatic asylums, halls, offices, dharmsalas, rest-houses and other public buildings planting and maintaining trees sanitary measures a survey maintenance of Courts of Magistrates destruction, detention, etc., of dogs public receptions, ceremonies, exhibitions, etc., or other measures likely to promote the public health, safety, convenience or education	,, s.56(*b*),(*c*),(*d*),(*f*),(*g*),(*h*),(*j*),(*k*),(*l*),(*m*).
Power to declare area in which periodical fair is held or which is visited periodically by pilgrims to be a temporary municipal district	,, s.6.

MUNICIPALITY—*contd.*

VIII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*concld.*

(*s*) MISCELLANEOUS—*contd.*

Weights and measures:		
Power to make bye-laws regarding inspection and defining standards of	Bom. Act 3, 1901,	ss.48(*1*)(*e*),(*ee*),143.
Surveyors and plumbers; power to make bye-laws for licensing, in city municipalities	,,	s.48(*1*)(*q*).
Dangerous quarrying	,,	s.126.
Unlawful deposit of offensive matter or rubbish on public quay, jetty or landing place, or on seashore or river-bank; penalty	,,	s.127.
Penalty for keeping animal so as to be a nuisance	,,	s.129.
,, permitting animals to stray	,,	s.137.
,, unlawful storing or using of nightsoil, manure or substance emitting offensive smell	,,	s.136.
,, unlawfully removing earth, sand, etc., or encroaching upon open spaces not being private property; quarrying	,,	s.122(*3*).
Nuisances, public; municipality to provide for abatement of	,,	s.54(*1*)(*c*).
,, ,, power to institute prosecution for	,,	s.161.
Brothels; power to order discontinuance of use of building as, in certain municipalities	,,	s.153.
Penalty for soliciting for purposes of prostitution	,,	s.152.

7. Supplemental.

City municipalities; special provisions relating to constitution of; appointment of Chief Officer, Health Officer and Engineer; powers of Chief Officer	,,	ss.181,186.
Rules; general power to make	,,	s.46.
Bye-laws; general power to make	,,	s.48.
,, penalty for breach of		
,, to be published in draft		
Rules and bye-laws to be available for purchase	,,	s.49.
Notice to fix time for doing act	,,	s.154(*5*).
,, and bills; service of	,,	s.154.
,, not invalid for defect of form		
,, when not complied with, Municipality may perform act	,,	s.154(*6*).
Power to spend municipal property and funds beyond municipal limits for certain purposes	,,	s.52, proviso.
Municipality may execute work in default of owner or occupier; recovery of cost; deduction from rent of sum paid by occupier; saving of contracts	,,	s.156.
Recovery of municipal claims; alternative remedy by suit	,,	ss.82 to 89, 164.
Recovery of rent due to Municipality	,,	s.166.
Occupier may execute work in default of owner and recover cost from him or deduct it from rent	,,	s.157.
Procedure and penalty where occupier opposes owner in execution of Act	,,	s.158.

MUNICIPALITY—*contd.*

VIII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

7. Supplemental—*contd.*

Punishment for disobedience of notices and orders	Bom. Act 3, 1901	s. 125.
Fees; general power to charge	"	s. [illegible].
Remission of fees	"	s. 10[illegible].
Prosecutions: power to institute; expenses; limitation	"	s. 131.
" may be instituted before any Magistrate	"	s. 131(2).
Fines; recovery of	"	s. 161(2).
Arbitration in case of dispute as to compensation, damages, costs or expenses	"	s. 159.
Irregularities, etc., not to invalidate distress; compensation for special damage caused by irregularity	"	s. 162.
Suit against municipality or municipal officer or servant: notice of suit; limitation	"	s. 167.

B.—NOTIFIED AREAS.

Power to notify areas, impose taxation and regulate expenditure therein; appoint Committee and apply Act with modifications thereto	"	ss. 187 to 19[illegible].

IX.—CITY OF BOMBAY.

1. Preliminary.

Definitions	Bom. Act 3, 1888	ss. 3, 11 (2), 89 (7), 115 (2), 130, 192, 230, 262, 297, 337, 398

2. Constitution and Government.

(a) Municipal Authorities.

Municipal Corporation; constitution and incorporation of	Bom. Act 3, 1888	s. 5.
" " term of office of Councillors; filling casual vacancies; publication of names of Councillors	"	ss. 3 to 10.
" " qualifications and disqualifications of voters and Councillors	"	ss. 11 to 18.
" " preparation and revision of list of voters; appeal to Chief Judge of Small Cause Court	"	ss. 19 to 21.
" " procedure for election of Councillors; election petitions to be heard by Chief Judge of Small Cause Court; procedure if election fails	"	ss. 22 to 34, Sch. B.
" " Government appointments of Councillors when to be made	"	s. 35.
" " Councillors deemed "public servants"	"	s. 50.
" " conduct of business	"	s. 36.
" " President; appointment and term of office of; filling casual vacancy in office of	"	s. 37.

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*contd.*

2. Constitution and Government—*contd.*

(*a*) MUNICIPALITIES—*contd.*

Municipal Corporation; Committee; consultative; power to appoint	Bom.Act3,1888,s.38.
" " " Schools Committee to be appointed by Corporation and Local Government for purposes of primary education: term of office of members; publication of names; Chairman; establishment; powers and duties of Committee.	" ss.39,461(*u*)(am.Bom.Act3, 1907,ss.8,20),62(*c*), (ins.Bom.Act3,1907, s.10).
" " " For purposes of secondary or technical education: appointment and constitution of Committee; its powers and duties	" s.40[am. Bom.Act3, 1907,s.8(*8*)]. 461(*v*).
" " " Hospital Committee: appointment and constitution of Committee; its powers and duties	" ss.41,461(*x*).
Standing Committee; constitution of; appointment and retirement of members; filling of casual vacancies	" ss.42,43,45 to48.
" " Chairman: appointment and term of office of; filling of casual vacancy in office of	" s.44.
" " conduct of business, and appointment, etc., of sub-committees	" ss.49,461(*t*).
" " fee payable to members of	" s.50.
Municipal Commissioner and Deputy Municipal Commissioner:	
Appointment, term of office and removal of Commissioner	" s.54.
" position and functions of Deputy Municipal Commissioner	" ss.55,56.
Remuneration of	" ss.57,58.
Leave; leave-allowance; acting appointments	" s.59.
Interest in contract or employment with Corporation disqualifies for office	" s.60.
Deemed "public servants"	" s.521
Municipal Commissioner; special functions of	" s.64(3).
" " heads of certain Departments to be subordinate to	" s.66(4).
" " to prepare annual report	" s.124.
Respective functions of the several Municipal Authorities	" s.64.
Power of Corporation to require Committees, Sub-committees or Commissioner to furnish documents, etc.	" ss.65,66.

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*contd.*

2. Constitution and Government—*concld.*

(*b*) Officers and Servants.

Executive Engineer and Executive Health Officer: appointment, term of office, remuneration and removal of; time within which vacancy in office of, must be filled	Bom.Act3,1888,ss.74,75.	
Executive Health Officer to be consulting officer of health under Bom. Act 6, 1867 (Sanitation, Bombay City)	,,	s.76.
Officers of Schools Committee; appointment of	,,	s.76A(ins. Bom.Act3, 1907,s.13).
Medical Officers; appointment of, in connection with measures of public medical relief under s. 61 (*gg*)	,,	s.76B(ins. Bom.Act3, 1907,s.13).
Secretary; appointment, duties, remuneration and removal of	,,	ss.77,78. 528,Sch.R. cl.7.
Clerks and servants subordinate to Secretary; their appointment, remuneration and duties	,,	s.78.
Others officers and servants; appointment and remuneration of	,,	s.79.
Permanent officers and servants not to be employed except as provided by foregoing sections	,,	s.80(am. Bom.Act3, 1907,s.13(2).
Officers and servants deemed "public servants"	,,	s.521.
Security to be given by	,,	s.81(*a*).
Leave, leave-allowances, temporary appointments during leave; pensions, etc.; contributions to Provident Fund	,,	ss.81,84,85.
Powers of appointment and punishment in whom to vest	,,	ss.82,83.
Interest in contract or employment with Corporation disqualifies for office	,,	s.86.
Penalty on certain classes of officers and servants resigning without giving two months' notice, or absenting themselves from duty, or committing breach of duty; power to dispense with notice; payment and wages where resignation accepted without notice; power to apply Act to other classes of servants; copies of Act to be supplied to employés at nominal price	Bom.Act5,1890.	
Power of Municipal Commissioner to invest municipal officer with certain of his functions	Bom.Act3,1888,ss.68, 68A(ins.Bom. Act3,1907, s.12).	

(*c*) General Powers of Official Control.

Power of Local Government—		
to repeal bye-laws	Bom. Act 3, 1888, s. 470.	
to provide for performance of duties in default of Municipal authority	,,	ss.518 (am. Bom.Act3, 1907,s.21),520.
to enforce repair, etc., of Vehar Water-works	,,	ss.519,520.
to call for extracts from proceedings	,,	s.526.

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*contd.*

3. Taxation.

Taxes to be imposed	Bom Act 3, 1888	ss. 139 to 143, 180, 190, 192, Schs. G, H.
Procedure for imposing taxes	,,	ss. 125 to 129, 134, 196.
Compounding for water-tax	,,	s. 169.
,, ,, tax on vehicles and animals	,,	s. 185.
Property taxes :		
From whom leviable	,,	s. 146.
Apportionment of responsibility when premises are let or sub-let	,,	ss. 147, 148.
Notice of transfer of property liable to	,,	ss. 149 to 151, Schs. E, F.
,, erection, enlargement, re-occupation or demolition of building liable to	,,	ss. 152, 153.
Penalty for failure to give notice	,,	s. 471.
Assessment of	,,	ss. 154 to 168.
Refund of tax on unoccupied property	,,	ss. 174 to 179.
Water-tax : power to charge for water by measurement, instead of levying tax	,,	s. 169.
,, Government and Port Trust to be charged by measurement	,,	s. 170.
,, recovery of, by owner from occupier	,,	s. 173.
Halalkhor-tax : power to fix tax at special rate for hotels, clubs, etc.	,,	s. 173.
,, to be fixed at special rate for premises occupied by Government or Port Trust		
,, recovery of, by owner from occupier	,,	s. 173.
Tax on vehicles and animals :		
Provisions for ascertaining and recording names of persons liable to pay the tax ; person becoming possessed of taxable vehicle or animal to give notice ; penalty	,,	ss. 182, 186 to 189, 471.
Toll on vehicles entering the City from Salsette	,,	s. 190.
Driver of vehicle paying toll to receive ticket	,,	s. 191.
Town duties :		
Tables of, to be posted up	,,	s. 193.
Refund of, when permissible, and how made	,,	ss. 194(2), 195, 213(2), 215.
Application of Customs law for punishment of offences and reward of informers	,,	s. 478.
Bombay Port Trust Act, 1879, not to affect right of Corporation to collect	Bom. Act 6, 1879	s. 69(*a*).

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*contd.*

3. Taxation—*contd.*

Power to require Commissioner to impose addition to general tax for recovery of compensation awarded to persons injured by acts of unlawful assemblies; recovery of such additional tax . . . . . Bom. Act 4, 1902, ss. 45(*1*)(*b*), 46.

Power to charge fees in public hospitals and dispensaries . . Bom. Act 3, 1888, s. 62A (ins. Bom. Act 3, 1907, s. 10).

Special tax to recoup payments made under Bom. Act 4, 1898, s. 80. . . . . Bom. Act 4, 1898, s. 80.

Exemptions from taxes:

Buildings occupied for public worship or for charitable purposes, and buildings and lands vested in the Corporation, exempted from the general tax . . . . . Bom. Act 3, 1888, s. 143.

Buildings and lands vested in Government exempted from the general tax; payment to be made to Corporation in lieu of such tax; sum payable how to be ascertained . . „ ss. 143, 144.

Payment of lump sum by Bombay Port Trust to Corporation in lieu of general tax; duties of Corporation in return for such payment; settlement by Government of disputes . Bom. Act 6, 1879, ss. 36 to 38.

Drinking-fountains, tanks, etc., used for gratuitous supply of water, exempted from water-tax . . . . . Bom. Act 3, 1888, s. 171.

Certain property exempted from—

tax on vehicles and animals . . . . . „ ss. 181, 183, 184.

toll on vehicles entering the City from Salsette . . . „ s. 190(*1*).

Exemption from tolls of men, property, etc., belonging to the army. *See* MARCHING TROOPS.

Government property exempted from town-duties . . „ s. 194.

Taxes when payable . . . . . „ s. 197 to 199.

Appeal to Chief Judge of Small Cause Court against taxation; limitation . . . . . „ ss. 217 to 219.

Reference of questions by Chief Judge to High Court . . Act 12, 1888, s. 2.

Collection of taxes . . . . . Bom. Act 3, 1888, ss. 200 to 202, 209 to 213, 215, Sch. I.

Contractors, etc., for collection of taxes, deemed "public servants" . . . . . „ s. 521.

Leasing of tolls . . . . . „ s. 213.

Recovery of taxes by distress and sale . . . . . „ ss. 203 to 208, 214, Schs. J, K, L.

Power to write off irrecoverable taxes . . . . . „ s. 216.

Power of entry for discovery of vehicles or animals liable to tax, and power to examine persons liable to pay tax on vehicle or animal . . . . . „ s. 189.

4. Funds and Property.

Municipal Fund; constitution of . . . . . „ s. 111.

„ „ application of . . . . . „ ss. 118, 138, 518 to 520.

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*contd.*

4. Funds and Property—*contd.*

Municipal Fund ; temporary payments from, for work urgently required	Bom.Act3,1888,s.119.
,, ,, compensation when payable out of	,, s.501.
,, ,, authority on which money may be paid from	,, s.113.
,, ,, payment to trustees for improvement of City of Bombay or on their default	Bom.Act4,1898,ss.72,80.
,, ,, payment to Government for purposes of Prince of Wales' Museum of Western India	Bom.Act3,1888,s.62D.
,, ,, custody and investment of	,, ss.112,114. 122.
,, ,, investment of sinking funds and balances in municipal debentures	Bom.Act1,1898,ss.2to5. Sch. A.
,, ,, accounts and audit	Bom.Act3,1888,ss.123. 124, 135to138,471.
,, ,, budget estimates, and sanction to expenditure	,, ss.67,115 to117,125to 134.
,, ,, payment of debts due to Government and municipal security-holders ; attachment of Municipal Fund	,, ss.93to103.
,, ,, attachment of Municipal Fund for failure to pay under ss. 72, 73, 80 of Bom. Act 4, 1898	Bom.Act4,1898,s.81.
,, ,, sinking fund to be maintained to secure repayment of certain loans	Bom.Act3,1888,s.104.
,, ,, publication and circulation of annual account of balances due on debt and loans	,, s.105.
,, ,, borrowing powers of Corporation ; form of debenture ; duplicate debentures ; debenture in favour of joint payees	,, ss.106to110, 110Ato110C (ins.Bom. Act1,1910, s.2). Schs.C,D.
,, ,, funds to be placed at disposal of School Committee for primary education	,, ss.39(7). (δ),461(u)(am.Bom. Act3,1907, ss.8,20).
Special funds ; power to constitute	,, s.121(am. Bom.Act3. 1907,s.19).
Mortgages of rates and taxes transferable by endorsement ; validation of past transfers	Act15,1876,ss.2,3.
Power to consolidate, renew and sub-divide debentures	,, ss.4,5,Sch.
Fixed sum to be paid annually to Corporation from excise-revenue	Bom.Act5,1878,s.63.
Sum to be paid annually to Corporation by Government on primary education being made free or free and compulsory in the City of Bombay	Bom.Act3,1888,s.62B (ins.Bom.Act 3,1907,s.10).
Balance of fees received by Commissioner of Police for grant of motor-vehicle licenses to be paid to Municipal Fund	Bom.Act2,1904,s.4(3).
Municipal property ; what property vested in Corporation	Bom.Act3,1888,s.88.
,, ,, conditional vesting of Vehar Water-works in Corporation	,, ss.89,100.

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*contd.*

4. Funds and Property—*contd.*

Municipal property; statue of Her Majesty Queen Victoria and site thereof, the Victoria and Albert Museum and the site thereof, the Central Vaccine Depôt at Parel and all buildings and sites thereof within City of Bombay used for primary education to vest in Corporation	Bom. Act 3, 1888, ss. 89B to 89F (ins. Bom. Act 3, 1907, s. 14).
,, ,, lands and buildings in the use and occupation of Bombay City Police transferred to His Majesty	,, s. 89A, Sch. V (ins. Bom. Act 3, 1907, s. 14).
,, ,, power to Corporation to acquire property; procedure for acquiring immoveable property; application of Land Acquisition Act	,, ss. 87, 90, 91.
,, ,, procedure for disposal of; restriction on disposal of certain properties . .	,, s. 92 (am. Bom. Act 3, 1907, s. 15).
,, ,, refuse, etc., collected by municipal servants or contractors to be property of Corporation	,, s. 366.
Contract; procedure for entering into, and mode of executing .	,, ss. 69 to 71.
,, tenders when to be invited before entering into .	,, s. 72.
,, security when to be taken for performance of . . .	,, s. 73.
,, penalty on Municipal Councillor, etc., having interest in contract made with Corporation . . .	,, s. 474.
Suits; notice, limitation, etc.	,, s. 527.

5. Police.

Police Commissioner and his subordinates to co-operate with Municipal Commissioner	,, s. 522(1).
Police to report offences and assist Municipal Commissioner, etc.	,, s. 522(2).
Police-officers to aid Municipal Fire Brigade	,, s. 362.
Powers of, in respect of animal tethered in public street . .	,, s. 316.
Power of, to remove to hospital person suffering from dangerous disease	,, s. 424.
,, to arrest offenders; detention of offenders . .	,, s. 516.

6. The Public Health, Safety and Convenience.

(*a*) STREETS, ETC.
(*b*) BUILDINGS.
(*c*) DANGEROUS BUILDINGS AND PLACES.
(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.
(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.
(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.
(*g*) SLAUGHTER-HOUSES.
(*h*) BATHING AND WASHING PLACES.
(*i*) WATER-SUPPLY.
(*j*) FOOD, DRINK AND MEDICINE.
(*k*) RESTRAINT OF INFECTION.
(*l*) DISPOSAL OF THE DEAD.
(*m*) OFFENSIVE AND DANGEROUS TRADES.
(*n*) PREVENTION AND EXTINCTION OF FIRE.
(*o*) HACKNEY-CARRIAGES, JOB-HORSES, ETC.
(*p*) ENTRY AND INSPECTION.
(*q*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.
(*r*) MISCELLANEOUS.

See also IMPROVEMENT OF CITY OF BOMBAY.

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*a*) STREETS, ETC.

Corporation to provide for—		
construction, maintenance, etc., of public streets, bridges, etc. lighting, watering and cleansing of public streets . . . removal of obstructions and projections in streets, etc. . . naming of streets and numbering of premises . . .	Bom.Act3,1888,s.61(*m*) to(*p*)..	
Public streets ; vesting of, in Corporation	,,	s.289(*1*)..
,, ,, temporary vesting of, in Trustees for improvement of City of Bombay ; re-transfer to Corporation	Bom.Act4,1898,ss.41to 45..	
,, ,, Municipal Commissioner to level, repair, improve, etc.	Bom.Act3,1888,s.289(*2*)..	
,, ,, power to close, permanently ; disposal of site .	,,	ss.289(*3*),.. 290.
,, ,, power to make new streets	,,	s.291.
,, ,, saving of ss. 37 and 38 of Bombay Port Trust Act, 1879	,,	ss.292,306 (*3*)..
,, ,, laying of tramway or railway on ; saving of Bombay Tramways Act, 1874 . . .	,,	s.293..
,, ,, minimum width of ; projections over . .	,,	s.294..
,, ,, power to adopt or construct bridge, etc. . .	,,	s.295..
,, ,, power to acquire land for improving or making ; acquisition of building sites adjoining new streets	,,	s.296.
,, ,, regulation of line of buildings ; power to acquire land within regular line of street ; compensation	,,	ss.297to299,.. 300,301.
,, ,, proportionate share of compensation payable by Trustees for improvement of City of Bombay where part of land acquired is required by them	Bom.Act4,1898,s.41A..	
,, ,, tethering of animals in	Bom.Act3,1888,s.316.	
,, ,, lighting of public streets and municipal markets and buildings ; unlawful removal or breaking of lamps, etc. ; laying of gas-pipes, etc ; building, street or railway not to be constructed over gas-pipe	,,	ss.330to335..
,, ,, watering of	,,	s.336..
Private streets ; making of, under control of Municipal Commissioner	,,	ss.302to304..
,, ,, levelling, draining, lighting, etc., of . .	,,	ss.305,307..
,, ,, power to declare them to be public streets . .	,,	ss.306,307.
Powers and prohibitions with respect to obstructions in, encroachments on, or projections over street, from building, etc. ; compensation	,,	ss.308 to315..
Power to permit temporary erection of booths, etc., in street .	,,	s.317..
Execution of works in or near street ; speedy re-instatement of street ; temporary closing of street ; temporary arrangements for traffic ; precautions against accidents	,,	ss.318to326..
Naming of streets and numbering of buildings ; prohibition of defacing, etc., name or number	,,	s.327..

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*a*) STREETS, ETC.—*contd.*

Bill-posting, or otherwise defacing building, etc., without consent of owner; penalty	Bom. Act 3, 1888, ss. 328, 471.	
Application of ss. 289 to 329 and 334 to streets temporarily vested in Trustees for Improvement of City of Bombay	Bom. Act 4, 1898, s. 42.	
Municipal Commissioner to secure daily surface-cleansing of streets	Bom. Act 3, 1888, s. 365.	
Prohibition of placing filth or filth receptacle on street	,,	ss. 372(*d*), (*e*), s. 373.
Removal of tree or shrub overhanging street	,,	s. 383.
Prohibitions as to carrying or placing corpse in street	,,	s. 441.
Penalties	,,	ss. 471, 472.
See also below, (*f*), (*v*).		

(*b*) BUILDINGS.

Regulation of line of buildings; compensation	,,	ss. 297, 298, 300, 301.
Erection of, on side of private street, under control of Municipal Commissioner	,,	s. 304.
Notice of new buildings or additions, alterations, etc.; powers of Municipal Commissioner as to construction; maximum height of buildings		ss. 337 to 348, 349A to 349C, 351 to 353.
Power to prevent use of inflammable materials in external walls and roof coverings	,,	s. 349.
,, inspect building during erection, repair, etc.	,,	s. 350.
,, make bye-laws for securing stability and preventing fire and for purposes of health and ventilation	,,	s. 461(*c*), (*d*).
Notice of completion of building; inspection; permission to occupy or use	,,	s. 353A.
Power in case of work unlawfully commenced or carried on to direct removal of person directing or carrying on work	,,	s. 354A.
Penalties	,,	ss. 471, 472.
See also above (*a*), *and below*, (*c*), (*d*), (*f*), (*t*), (*k*), (*p*).		

(*c*) DANGEROUS BUILDINGS AND PLACES.

Corporation to provide for securing or removal of	,,	s. 61(*f*)
Repair, protection or enclosure of dangerous place	,,	s. 329.
Removal or repair of ruinous or dangerous building, wall or structure	,,	s. 354.
Penalties	,,	ss. 477, 472.

(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.

Corporation to provide for reclamation of unhealthy localities and removal of noxious vegetation, etc.	,,	s. 61(*d*).
Securing, etc., of abandoned or unoccupied premises becoming a nuisance, etc.	,,	s. 376.
Cleansing, etc., of premises overgrown with rank vegetation or in unwholesome or filthy condition or a nuisance	,,	s. 377.

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(d) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.—*contd.*

Power to prohibit use for human habitation of building unfit for such use	Bom. Act 3, 1888,	s.378.
Abatement of overcrowding in dwelling-house	,,	ss.379, 379A.
Removal or alteration, etc., of insanitary hut or shed	,,	s.380.
Cleansing, filling-up, draining-off or removal of pool, ditch, tank, etc., becoming a nuisance	,,	s.381.
Cutting or trimming of hedges, removal of trees, etc.	,,	s.383.
Penalties	,,	ss.471, 472.
Official representation by Municipal Commissioner to Trustees for Improvement of City of Bombay for improvement scheme	Bom. Act 4, 1898,	ss.23, 24.

(e) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

Corporation to provide for scavenging and removal of filth and rubbish	Bom. Act 3, 1888,	s.61(c).
Powers and duties of Municipal Commissioner, occupiers of premises, etc., as to	,,	ss.365, 367 to 373.
Removal of carcasses of animals	,,	s.385.
Penalties	,,	ss.471, 472.

(f) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Corporation to provide for construction, maintenance and cleansing of drains, drainage-works and public latrines, urinals, etc.	,,	s.61(e).
Municipal drains; control, maintenance, repair, construction, improvement, discontinuance and cleansing of	,,	ss.220 to 222, 224, 226.
,, ,, unlawful construction of building, street or railway over	,,	s.223.
,, ,, vesting in Corporation of drains, fittings, etc., constructed by it on private premises	,,	s.242.
Private drains; connection of, with municipal drains	,,	ss.227 to 229, 233.
,, ,, carrying drain through land or drain belonging to another	,,	ss.230, 236 to 238.
,, ,, power to enforce drainage of undrained premises	,,	ss.231, 232.
,, ,, power to drain group or block of premises in combination	,,	s.232A.
,, ,, drains constructed or continued for the sole use and benefit of any premises: vesting, maintenance, cleansing of	,,	s.233A.
,, ,, new building not to be erected or occupied until drainage provided	,,	s.234.
,, ,, unlawful passing of excrementitious matter into	,,	s.235.
,, ,, power to require separate drains for polluted and unpolluted matter	,,	s.239.
Construction of drain or cesspool beneath building	,,	ss.240, 241.
,, cesspool near well, etc.	,,	s.241.
Drains and cesspools to have proper coverings and means of ventilation	,,	s.243.

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH—*contd.*

Affixing of shafts or pipes for ventilating drain or cesspool	Bom. Act 3, 1888,	s.24.
Places for emptying of drains and disposal of sewage; powers for disposal of sewage	,,	ss.245, 246.
Municipal Commissioner to provide and maintain public necessaries	,,	s.252.
Water-closet or privy for premises not to be constructed except with written permission of Municipal Commissioner	,,	s.246A.
Sufficient water-closet or privy and urinal to be provided for buildings or premises	,,	ss.247, 248.
Power to require construction of water-closets or latrines or privies and urinals for market or other place of public resort or for workmen	,,	s.249.
Provisions as to position, concealment, etc., of privies and water-closets and ventilating and other appliances for water-closets	,,	ss.250, 251. 251A.
Power of Municipal Commissioner as to unhealthy privies	,,	s.249A.
Restriction on use of part of premises for bathing or washing clothes or utensils	,,	s.251B.
Inspection of private drains, water-closets, etc.; opening of ground, etc.; payment of expenses; power to require removal, repair or cleansing, etc., of drain, closet, cost of inspection, execution of works, etc.	,,	ss.253 to 257. 257A.
Prohibition of certain acts interfering with proper maintenance of drains, water-closets, etc.	,,	s.258.
Power of Municipal Commissioner to execute work for private person	,,	ss.259, 260.
Work to be executed by private person only through agency of licensed plumber; notice of completion of work; permission to use work as drain	,,	s.259A.
Power to make bye-laws as to construction, etc., of drains, cesspools, privies, etc.	,,	s.461(*a*),(*e*).
Penalties	,,	ss.471, 472.
Rights and powers of municipal authorities under ss. 220 to 260 in or over municipal drains not affected by temporary vesting of street or land in Trustees for Improvement of City of Bombay	Bom. Act 4, 1898,	s.41.

(*g*) SLAUGHTER-HOUSES.

Corporation to provide for regulation of slaughter-houses	Bom. Act 3, 1888,	s.61(*h*).
Municipal slaughter-houses:		
Corporation to provide for construction and maintenance of	,,	s.61(*h*).
Establishment and maintenance of	,,	s.399.
Power to close	,,	s.400.
Levy or farming of stallages, rents and fees	,,	ss.407, 408.
Power to expel person contravening bye-laws, etc.	,,	s.409.
Private slaughter-houses:		
Licensing of	,,	s.403.
Paving and draining of		s.405.

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*g*) SLAUGHTER-HOUSES—*contd.*

Power to permit slaughter at any place on occasion of festival, etc.	Bom. Act 3, 1888,	s.403.
,, make regulations for slaughter-houses	,,	ss.406,408.
,, make bye-laws for inspection, use and sanitation of slaughter-houses	,,	s.461(*k*), (*m*),(*n*).
Penalties	,,	ss.471,472.

(*h*) BATHING AND WASHING PLACES.

Establishment and regulation of; prohibitions as to fouling of water; penalties	,,	ss.386to 389,397,471, 472.

(*i*) WATER-SUPPLY.

Corporation to provide for construction and maintenance of works and means for water-supply	,,	s.61(*b*).
Municipal water-works; construction and maintenance of; powers of entry and inspection for construction or repair of; compensation for damage done	,,	ss.261to265.
,, ,, provisions and maintenance of fire-hydrants	,,	s.266.
,, ,, unlawful building or carrying on of manufacture, etc., so as to injure source of water-supply	,,	s.267(*1*).
,, ,, limits of the water-shed of the Vehar Lake	,,	s.267(*2*).
,, ,, unlawful construction of building, street or railway over water-main	,,	s.268.
,, ,, prohibition of ceratin wilful or neglectful acts in connection with; compensation for damage done	,,	ss.284,285.
Municipal Water-works; private water-supply:		
Provision of, at cost of consumer; connections with water-works; storage cisterns; pipes and other fittings	,,	ss.261(*c*), 271to275.
Provision and maintenance of meters; register of meter to be *primâ facie* evidence	,,	ss.275to277.
Power to inspect premises to examine, etc., meter and pipes and other fittings, etc., and to require remedy of defects	,,	s.278.
Power to cut off supply or turn off water	,,	s.279.
Conditions not to be contravened; fraudulent or unauthorised use of water	,,	ss.280,282.
Prohibition of fraud in respect of meters; compensation for damage done	,,	ss.283, 285.
Presumption that offence was committed by occupier of premises	,,	s.286.
Power of Municipal Commissioner to execute work for private person	,,	ss.287, 287A.
Work to be executed by private person only through agency of licensed plumber	,,	s.287(*2*).
Power to supply water without the City	,,	s.288.

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*l*) Disposal of the Dead.

Places for; Corporation to provide and regulate	Bom.Act3,1888,s.61(*e*).	
" registration of	"	ss.435, 436,438(*2*), 439(*2*).
" provision of	"	ss.436,437.
" closing and re-opening of	"	ss.438,439.
Permission of Municipal Commissioner required to burial in place of worship, or disposal of corpse in closed or unregistered place, or exhumation of corpse	"	s.440.
Prohibition of certain acts in connection with	"	s.441.
Power to make bye-laws as to	"	s.461(*p*).
Penalties	"	s.471.

(*m*) Offensive and Dangerous Trades.

Corporation to provide for regulation of	"	s.61(*i*).
Permission required for newly establishing factory, etc.	"	s.390.
Consumption by furnaces of their own smoke	"	s.391.
Sanitary regulation of factories, bake-houses, workshops, etc.	"	s.392.
Unlawful use of steam-whistle or steam-trumpet	"	s.393.
Licensing of	"	s.394,Sch.M.
Prohibition of fouling of water by chemicals, etc.; opening and examination of pipes, etc.; notice of entry; payment of expenses	"	s.395,Sch.M.
Inspection of premises; no compensation for damage caused; when force may be used to effect entry	"	s.396.
Power to make bye-laws for control and supervision of premises	"	s.461(*f*).
Penalties	"	ss.471,472.

(*n*) Prevention and Extinction of Fire.

Corporation to provide for entertainment of fire-brigade and protection of life and property in case of fire	"	s.61(*k*).
Municipal Fire Brigade:		
Establishment and equipment of	"	s.359.
Municipal Commissioners to make regulations for	"	s.360.
Powers of chief officer of, at fire	"	s.361.
Police-officers and municipal officers and servants to aid	"	s.362.
Damage done by, deemed "damage by fire" within meaning of policies of insurance	"	s.363.
Reports and returns as to fires	"	s.364.
Provision and maintenance of fire-hydrants	"	s.266.
Licensing of places for storing, manufacturing, etc., explosives, etc., or for storing wood, charcoal, coal, coke, ashes, hay, grass, straw or other combustibles; power to make bye-laws	"	ss.394(*d*), 461(*f*),Sch.M.

See also above, (*b*).

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*o*) HACKNEY-CARRIAGES, JOB-HORSES, ETC.

Licensing of places for keeping animals for sale or hire . . Bom.Act3,1888,s.394(*c*).
See also above, (*k*).

(*p*) ENTRY AND INSPECTION.

Power to inspect place for discovery of vehicle or animal liable to tax . . . . . „ s.189.
Power to inspect building or other premises to ascertain sanitary condition and to direct cleansing of building . . . . „ ss.374,375.
Power to enter building or land to make inspection or survey or execute work; time of entry; notice of entry; precautions to be observed in entering dwelling . . . . . „ s.488.
See also above, (*b*), (*f*), (*g*), (*i*), (*j*), (*k*), (*m*).

(*q*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.

Taking of census :
Corporation may provide for . . . . . Bom.Act3,1888,s 63(*h*).
Procedure for . . . . . „ ss.454to460.
Power to make bye-laws as to . . . . . „ s.461(*s*).
Penalties . . . . . „ s.471.
Registration of births and deaths :
Corporation to provide for . . . . . „ s.61(*e*).
A municipal officer to be registrar in each district . . . „ s.442.
Registrar to reside in his district and to post his name; list of registrars to be published . . . . . „ s.443.
Register-books to be supplied . . . . . „ s.444,Schs. N and O.
Registrar to inform himself of, and to register, all births and deaths; appointment of other municipal officers to collect information . . . . . „ ss.445,448.
Information of births and deaths by whom and when to be given . . . . . „ ss.446,447, 449,450,Sch.P.
Preparation of register-books of deaths, and publication of mortality returns . . . . . „ s.451,Sch.O.
Correction of errors in, and adding of names of children to, registers . . . . . „ ss.452,453, Sch.Q.
Power to make bye-laws as to . . . . . „ s.461(*q*).
Penalties . . . . . „ s.471.
Registration of marriages :
Corporation may provide for . . . . . „ s.63(*g*).
Power to make bye-laws as to . . . . . „ s.461(*r*).

(*r*) MISCELLANEOUS.

Corporation to provide for—
abatement of nuisances . . . . . „ s.61(*d*).
public vaccination . . . . . „ s.61(*ff*).
establishment and maintenance of public hospitals, etc. . . „ ss.61(*gg*),62.

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*r*) MISCELLANEOUS—*contd.*

Corporation to provide for—*contd.*

maintaining, etc., schools for primary education	Bom.Act3,1888,s.61(*q*)(am. Bom.Act3, 1907,s.9).	
maintenance of an office and of all public monuments and other property vesting in Corporation	,,	s.61(*r*).
Corporation to pay to Government monthly sums for the purposes of Prince of Wales's Museum of Western India	,,	s.62D.
Corporation may provide for— public vaccination; educational objects; constructing, etc., libraries, museums and art galleries; constructing or maintaining public parks and gardens and botanical and zoological collections; planting trees	,,	s.63.
surveys; addresses to persons of distinction; music for the people; any measure likely to promote public health, safety, convenience or instruction	,,	s.63(am. Bom.Act1, 1910).
Corporation may with previous sanction of Government make contribution towards public ceremony or entertainment	,,	s.63(*l*).
Primary schools and municipal-aided schools to be open to inspection or by Government officers; recommendation of officers to be duly considered	,,	s.62C(ins.Bom. Act3,1907,s.10).
Power to make bye-laws for— preventing cruelty in market or slaughter-house; ,, use of false or defective weights, scales or measures in market; publication of price-current for market	,,	s.461(*n*),(*o*).
Surveyors and plumbers:		
Licensing of; regulations for guidance of	,,	ss.355,356.
Licensed plumbers; fees payable to; bound to execute work properly	,,	ss.357,358.
,, ,, certain work to be executed by private person only through agency of	,,	ss.259(2), 287(2).
Discontinuance of quarrying causing danger or nuisance	,,	s.382.
Unlawful keeping of animals; feeding of animals on filth; destruction of swine found straying; penalty	,,	ss.384,471, 472.
Bill-posting or otherwise defacing tree, fence, etc., without consent of owner; penalty	,,	ss.328,471.
Weights and measures:		
Provision and custody of standards	,,	s.418(*1*).
Verification and stamping of, and fees therefor	,,	ss.418(2), 419,420.
Power of Municipal Commissioner to take special measures on outbreak of infectious disease among cattle, sheep or goats	,,	s.434.
Compensation when payable out of Municipal Fund	,,	s.501.
,, ,, ,, for damage done to property of Corporation	,,	s.502.

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*contd.*

6. The Public Health, Safety and Convenience—*concld.*

(*r*) MISCELLANEOUS—*concld.*

Nuisances; prosecutions for	Bom.Act3,1888,ss.515,517.
„ appeal to High Court from order of Presidency Magistrate under Bom. Act 3, 1888, s. 515; limitation	Act12,1888,ss.4,5.

7. Supplemental.

Bye-laws; power to make	Bom.Act3,1888,s.461.
„ penalty for breach of	„ s.462.
„ confirmation of	„ s.463.
„ publication and sale of	„ ss.467to469, 471.
„ power of Local Government to repeal	„ s.470.
„ Municipal Commissioner to lay before Corporation draft of bye-law which he considers it desirable to make	„ s.464.
„ publication and sale of drafts	„ ss.465,466.
Rules as to appeals; power of High Court to make	Act12,1888,s.4.
Licenses and written permissions; provisions as to; penalties	Bom.Act3,1888,ss.479, 487,471.
Notices; publication of	„ ss.480,481.
„ and other documents; authentication and service of	„ ss.482to487.
Power to execute work in default of owner or occupier; recovery of cost; deduction from rent of sum paid by occupier; saving of contracts	„ ss.489to 493,498.
Recovery of improvement expenses; apportionment of same between owner and occupier; redemption of charges for same	„ ss.494to498.
Occupier may execute work in default of owner, and recover cost from him or deduct it from rent	„ s.499.
Agent or trustee doing act required to be done by owner; relief to	„ ss.477,500.
Reference to Chief Judge of Small Cause Court where occupier opposes owner in execution of Act; penalties	„ ss.507,471, 472.
Recovery of expenses or compensation in case of dispute; reference to Chief Judge of Small Cause Court	„ ss.503to506.
Appeal to High Court from decision of Chief Judge under s. 503 or s. 504 of Bom. Act 3, 1888; limitation	Act12,1888,ss3,5.
Powers and Procedure of Chief Judge, Small Cause Court; costs; fees; power of Judge to delegate certain of his functions and to make rules	Bom.Act3,1888,ss.508to 512.
Penalties for offences against Act or regulation or requisition made thereunder	„ ss.471to478.
Prosecutions to be instituted before Presidency Magistrate; limitation	„ ss.513,514.
Legal proceedings and legal advice; powers of Municipal Commissioner in respect to instituting, etc., proceedings, compounding for offences and obtaining advice	„ s.517.
Computation of time	„ s.523.

MUNICIPALITY—*contd.*

IX.—CITY OF BOMBAY—*concld.*

7. Supplemental—*contd.*

Measurement of distances	Bom.Act3,1888,s.524.
Correction of errors in assessment, distress, notice, etc.	,, s.525(*1*).
Vacancies and irregularities not to invalidate proceedings	,, ss.39(*2*),51, 52,53,525(*2*).
Bom. Act 3, 1888, validated, as regards jurisdiction conferred on, and proceedings of, Benches, Magistrate, and Court of Small Causes	Act12,1888,s.1.

X.—BURMA.

A.—MUNICIPALITIES PROPER.

1. Preliminary.

Definitions	Bur.Act3,1898,ss.2,92(*6*).

2. Constitution and Government.

(*a*) CONSTITUTION OF MUNICIPALITIES.

Power to create, alter limits of, or abolish, municipality; procedure	,, ss.3to5.
Effect of including local area in municipality	,, s.6(*1*).
,, ,, excluding local area from municipality	,, s.6(*2*).
Power to except municipality from provisions unsuited thereto, and to make rules in respect of excepted matters	,, s.205.
Consequences of including in municipality a local area which was a municipality under Act 17, 1884, or Regulation 5, 1887; old Committee to act until constitution of new Committee; property, rights and liabilities of old Committee to devolve on new Committee	,, s.15.

(*b*) CONSTITUTION OF MUNICIPAL COMMITTEES.

Nomination or election of members	,, s.7.
Term of office of members	,, s.9.
Resignation and removal of members	,, ss.10,11.
Casual vacancies, filling of	,, s.12.
Incorporation of Committee; Committee to come into existence at time appointed by Local Government	,, ss.13,14.
Member deemed to be "Municipal Commissioner"	,, s.16.
President and Vice-President; appointment or election of; term of office of; to be member of Committee and to vacate office on ceasing to be member; vacancies	,, ss.17to20.
Power to make rules as to Rangoon Committee; member of, to cease to hold office on becoming interested in contract with Committee	,, s.40A.
Election of members of Committees	,, s.8.
Appointment of members of Committees Term of office of members of Committees	,, s.9(*2*).
Division of municipalities into wards	,, s.8(*1*)(*a*).
Election, appointment and removal of member, President or Vice-President to be notified	,, s.21.
Delegation of Chief Commissioner's powers as to appointments or resignations	,, ss.7(*2*),12(*4*), 17(*4*).

MUNICIPALITY—*contd.*

X.—BURMA—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

2. Constitution and Government—*contd.*

(c) CONDUCT OF BUSINESS.

Ordinary and special meetings	Bur.Act3,1898,s.23.	
Time and place for holding meeting	,,	s.22.
Who to be Chairman of meeting	,,	s.25.
Quorum	,,	s.24.
Right of member to vote at meeting: power to exclude member from voting on question in which he has pecuniary interest	,,	s.26.
Vote of majority ordinarily decisive; Chairman has casting vote	,,	s.27.
Proceedings: language of; record, signature, publication and inspection of	,,	ss.28,29.
Making and confirmation of bye-laws as to	,,	s.30.
Extraordinary powers of President and Vice-President in cases of emergency	,,	s.31.
Power to make rules as to—		
channels of correspondence	,,	s.193(*a*).
returns, statements and reports to be submitted by Committees	,,	s.193(*b*),(*c*).
Joint Committees: appointment of, by Municipal Committee and District Council, Local Board, Cantonment authority or another Municipal Committee; delegation of powers to, and framing of regulations for	,,	s.32.

(d) OFFICERS AND SERVANTS.

Secretary; appointment, remuneration and removal of	,,	s.34.
Other officers and servants; employment and salaries of	,,	s.35.
Pensions, annuities, gratuities and leave-allowances of; power of Rangoon Municipality and notified municipalities to establish Provident Fund	,,	ss.37, 38,38A,38B.
Sweepers to receive or give previous notice before discharge or resignation	,,	s.45.
Power to make rules as to appointment, promotion and punishment of officers and servants	,,	s.193(*e*).

(e) GENERAL POWERS OF OFFICIAL CONTROL.

Commissioner or Deputy Commissioner: power of, to prevent extravagance in establishments	,,	s.36.
general powers of control exerciseable by; bound to require proceedings of Committee to be in accordance with law	,,	ss.182,186.
power of, to suspend action of Committee or Joint Committee	,,	s.183.
extraordinary power of Deputy Commissioner in case of emergency	,,	s.184.
Local Government; power of, to provide for performance of duties in case of default of Committee	,,	s.185.

MUNICIPALITY—*contd.*

X.—BURMA—*contd.*

A.—MUNICIPALITIES PROPER—*contd*

2. Constitution and Government—*contd.*

(*c*) GENERAL POWERS OF OFFICIAL CONTROL—*contd.*

Local Government; general power to require proceedings of Committee to be in accordance with law	Bur.Act3,1898,s.186.
„ „ submission of annual reports and statements, etc., to	„ ss.189,190.
„ „ power of, to supersede Committee in case of incompetency, persistent default or abuse of powers; consequences to ensue on supersession	„ s.187.
„ „ power of, to frame forms and make rules	„ s.193.
General powers of Commissioner over Deputy Commissioner	„ s.192.
Power to settle differences between Committee and any local authority	„ s.188.
Sanction required for estimates of expenditure and for works	„ ss.190,191.

3. Taxation.

Taxes which may be imposed	„ ss.46to50.
Limitation upon water-tax, lighting-tax, latrine or scavenging tax	„ ss.47to50.
Procedure in imposing taxes; taxes when payable	„ ss.51,58.
Tolls; power to compound for; power to make bye-laws requiring exhibition of table of tolls	„ ss.47(*1*)(*p*), 142(*m*).
Taxes not invalid for defect of form	„ s.56.
Power to abolish or reduce tax, or suspend operation of tax, or exempt persons or property from tax	„ ss.52,53.
Power of Local Government to suspend levy of tax	„ s.54.
Duty of furnishing true information regarding liability to taxation; penalty	„ s.60(*2*),(*3*).
Recovery of taxes, etc.; receipts to be given	„ ss.206,59.
Power to make rules for assessment, collection and remission of taxes	„ s.55
Taxes leviable under Act 17, 1884, or Reg. 5, 1887, to be deemed taxes under Act	„ s.57.
Taxes on buildings and lands:	
Assessment list:	
preparation, publication and revision of	„ ss.60to62.
settlement of; hearing of objections by Sub-Committee; appeal from decision of Sub-Committee; power to state case for opinion of Chief Court or Judicial Commissioner; finality of decision; costs; amendment, custody and inspection of	„ ss.63, 64(*13*), (*14*).
special provisions as to hearing of objections and appeals in case of Rangoon Municipality	„ s.64(*1*)to(*9*).
further amendment of, addition of new buildings to and preparation of new list	„ ss.65to67.
Levy of tax not stayed by pendency of appeal; refund or recovery of excess according to decision in appeal	„ ss.63(*10*),(*11*),(*12*),64(*10*),(*11*),(*12*).

MUNICIPALITY—*contd.*

X.—BURMA—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

3. Taxation—*contd.*

Taxes on buildings and lands—*contd.*

Owner and occupier jointly and severally liable for; liability of owners and occupiers as between themselves	Bur. Act 3, 1898,	ss.68,69.
Remission and refund in respect of unoccupied buildings	,,	s.70.

4. Municipal Fund and Property.

Municipal Fund; constitution of	,,	s.71.
,, ,, application of	,,	s.72.
Special Funds; power to constitute school fund, and hospital fund; delegation of management to Sub-Committees	,,	ss.73,74,77.
Municipal Funds; custody and investment of	,,	ss.75,76.
,, ,, disposal of, when area excluded from municipality	,,	s.6(2).
Accounts, estimates; sanction of estimate	,,	ss.189,190.
Municipal property; what property vested in Committee	,,	s.78.
,, ,, power of Committee to hold property	,,	s.13.
,, ,, acquisition of land for Committee	,,	s.41.
,, ,, public institutions maintained out of Municipal fund, management and property of, vested in Committee in trust	,,	s.79.
,, ,, power to make bye-laws for protection of	,,	s.142(p).
transfer to and resumption by Government of; compensation; settlement of disputes	,,	ss.80to82.
,, ,, disposal of, when area excluded from municipality or withdrawn from operation of Act	,,	s.6(2),(3),(4).
,, ,, disposal of, when Committee superseded	,,	s.187(2).
Contract: authority to make contracts	,,	s.13.
,, not to be entered into in respect of works unless sanctioned, when cost exceeds certain limit	,,	s.191.
,, mode of making	,,	s.39.
,, penalty on member, officer or servant of Committee being interested in contract made with Committee (except in Rangoon Municipality)	,,	s.40.
,, penalty on member of Rangoon Municipal Committee	,,	s.40A.
Suit against Committee or officer or servant: notice of; limitation; tender of amends	,,	s.42.
Liability of member of Committee for loss, waste or misapplication of money or property	,,	s.43.
Power to make rules as to accounts, estimates, and sanction to expenditure	,,	s.193(b),(d).

5. Police.

Police to report offences and assist members, officers and servants of Committee	,,	s.194(1).
Arrest by police; detention of person arrested	,,	s.194(2),(3).

MUNICIPALITY—*contd.*

X.—BURMA—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience.

(*a*) STREETS AND PUBLIC PLACES.
(*b*) BUILDINGS.
(*c*) DANGEROUS BUILDINGS, ETC.
(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.
(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.
(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.
(*g*) SCAVENGING.
(*h*) SLAUGHTER-PLACES.
(*i*) BATHING AND WASHING PLACES.
(*j*) WATER-SUPPLY.
(*k*) FOOD, DRINK AND DRUGS.
(*l*) RESTRAINT OF INFECTION.
(*m*) DISPOSAL OF THE DEAD.
(*n*) OFFENSIVE AND DANGEROUS TRADES.
(*o*) PREVENTION AND EXTINCTION OF FIRE.
(*p*) DANGEROUS ANIMALS.
(*q*) HACKNEY-CARRIAGES, BOATS, JOB-HORSES, PORTERS, ETC.
(*r*) ENTRY AND INSPECTION.
(*s*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.
(*t*) MISCELLANEOUS.

(*a*) STREETS AND PUBLIC PLACES.

Municipal Fund applicable to construction, maintenance, improvement, cleansing and repair of streets and public bridges and embankments, and watering and lighting of streets	Bur.Act3,1898,s.72(*2*)(*a*), (*b*).	
Acquisition of land for building-sites on sides of streets	,,	s.83.
Power to close, divert or discontinue streets	,,	s.84.
Power to prohibit driving, riding, etc., of animals or vehicles of particular kind in street; penalty	,,	ss.85,165.
Power to permit temporary occupation of street or land, and charge fees therefor	,,	s.86.
Naming of streets; penalty for destroying or defacing name	,,	ss.88,178.
Power to make bye-laws for regulating, levying fees for or prohibiting setting up of stalls or selling of goods on streets	,,	s.142(*q*).
regulating or prohibiting use of barbed wire or other matter likely to injure persons or animals on land or premises abutting on street or public place	,,	s.142(*s*).
Penalty for unlawfully placing earth, materials or offensive matter on street or public place	,,	s.148.
,, unlawfully discharging sewage on street or public place	,,	s.150.
,, driving vehicle without proper lights	,,	s.162.
,, allowing animals to stray on street	,,	s.164.
,, taking animal or vehicle along a street in disregard of orders of Committee	,,	s.165.
,, unlawfully hanging cloth or other article over street	,,	s.166.
,, unlawfully altering, obstructing or encroaching on street or public place or making hole or excavation in street	,,	s.168.
,, defacing or disturbing direction-post or lamp-post, or extinguishing light	,,	s.177.
,, loitering or soliciting for purposes of prostitution	,,	s.181B.

See also below, (*n*), (*t*).

MUNICIPALITY—*contd.*

X.—BURMA—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*b*) BUILDINGS.

Power to attach brackets for lamps	Bur.Act3,1898,s.87.	
Numbering of buildings; penalty for destroying or defacing number	,,	ss.88,178.
Power to prevent use of inflammable materials—		
in roof or external wall	,,	ss.89,90.
to regulate line of buildings; compensation	,,	s.91.
Regulaion of new building; compensation	,,	s.92.
Power to make bye-laws for regulation of building	,,	s.93.
Removal of projections and overhanging structures; compensation	,,	s.94(*1*),(*2*).
Power to permit erection of projecting verandahs, balconies or rooms	,,	s.94(*3*).
Putting up and maintaining troughs and pipes for rain-water	,,	s.114.
Power to make bye-laws for licensing, registration, regulation, inspection, etc., of lodging-houses	,,	s.142(*d*).

See also below, (*c*), (*d*), (*g*), (*r*).

(*c*) DANGEROUS BUILDINGS, ETC.

Repair, protection or enclosing of dangerous building, well, tank or excavation	,,	s.124.
Removal or repair of dangerous or ruinous building, wall or structure	,,	s.125.

(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.

Clearing away noxious vegetation or undergrowth	,,	s.126.
Cutting or trimming of hedges bordering on street or branches overhanging street or source of public water-supply	,,	s.127.
Fencing of land	,,	s.128.
Cleansing of filthy building or land	,,	s.129.
Power to prohibit use for human habitation of building unfit for such use	,,	s.130.
Securing or enclosing of untenanted building or land becoming a nuisance	,,	s.131.
Prohibition or regulation of cultivation, use of manure or irrigation injurious to health; compensation; penalty	,,	ss.132,159.

(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

Places for deposit, and directions for removal, of rubbish, offensive matter and carcasses of animals	,,	ss.97,98.
Disposal of carcasses of animals; penalty	,,	ss.97,149.

MUNICIPALITY—*contd.*

X.—BURMA—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Municipal Fund applicable to construction, etc., of public drains, latrines and cesspools	Bur.Act3,1898,s.72(2).
Provision of privy, cesspool, etc.	,, s.115(1).
Provision and maintenance of latrines and urinals for workmen	,, s.115(2).
Shutting out of privy from view, etc.	,, s.115(3).
Repair, removal, closing, etc., of privy, drain, cesspool, etc.; penalty	,, ss.116(1),153.
Removal or alteration of privy, drain, cesspool, etc., or sewerage connection unlawfully made or altered; penalty	,, 116(2),153.
Making and maintaining of efficient sewerage connection in certain cases: execution of work; provisions on default	,, ss.117,144, 145.
Power to authorize sewerage connection to be carried through or under land, etc., belonging to another or to be effected by means of existing sewerage connection belonging to another; compensation	,, ss.118to120.
Unauthorised building over sewer or drain vested in Committee	,, s.122.
Paving of courtyard, alley or passage between buildings for efficient drainage of building or land	,, s.114A.
Penalty for unlawfully placing earth, materials or offensive matter in public sewer or drain or into drain communicating therewith	,, s.148.
,, ,, unlawfully discharging sewage into drain	,, s.150.
,, ,, failing to remove offensive matter, or not keeping same in proper receptacle, or keeping receptacle in filthy state	,, s.151.
,, ,, making or altering drain without proper authority	,, s.152.
,, ,, unlawfully altering, obstructing or encroaching on drain	,, s.168.

See also below, (*r*).

(*g*) SCAVENGING.

Power of Committee to provide for scavenging by its own agents; entry for performance and supervision of scavenging	,, ss.112,121.

(*h*) SLAUGHTER-PLACES.

Places for slaughter of animals for sale; penalty for slaughter elsewhere	,, ss.100,154.
Regulation of slaughter of animals for purposes other than sale; penalty	,, ss.101,155.
Power to make bye-laws for licensing, inspection and regulation of slaughter-houses	,, s.99.
Power to enter and inspect place used or about to be used unlawfully as slaughter-place; penalty for refusing to suffer inspection	,, ss.111B, 158.

See also below, (*k*).

MUNICIPALITY—*contd.*

X.—BURMA—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*i*) BATHING AND WASHING PLACES.

Establishment and regulation of	Bur.Act3,1898,s.96.
Power to make bye-laws for inspection and regulation of dhobis' ghâts and public washing and bathing places	,, s.142(*g*).

(*j*) WATER-SUPPLY.

Municipal Fund applicable to supply, storage and preservation of water	,, s.72(2).
Unauthorised building over water-course or water-pipe vested in Committee	,, s.122.
Water connection; power to authorise making of, through or under land, etc., belonging to another or by means of existing water connection belonging to another; compensation	,, ss.118to120.
Cleansing, repair, covering, filling-up or draining-off of private tank, well, reservoir, pool or excavation injurious to health or offensive; provision of land or payment of compensation	,, s.123.
Power to make bye-laws—	
for supervision and regulation of public wells and other sources of public water-supply	,, s.142(*l*).
Rangoon:	
Definitions	Act19,1884,s.2.
Royal Lake at Rangoon and certain tanks, etc., vested in Municipal Committee	,, s.3.
Construction and maintenance of water-works	,, ss.4to7.
Supply of water for domestic purposes	,, ss.8to14.
,, ,, for other than domestic purposes	,, s.18.
,, ,, in standpipes, for gratuitous use	,, s.15.
,, ,, for extinguishing fires and for cleansing drains and streets	,, ss.16,17.
,, ,, pressure of water	,, s.19.
Reciprocal rights of owners and occupiers as to supply of water to houses	,, ss.20to28.
Power of Local Government and Municipal Committee to make rules as to water-supply	,, ss.29to32.
Recovery of arrears of water-rent	,, s.33.
Power to cut off water for non-payment of water-dues	,, s.34.
Offences and penalties	,, ss.35to37.
Prosecutions by whom to be instituted	,, s.38.
Power to extend provisions of Rangoon Water-works Act, 1884, to any municipality	Bur.Act3,1898,s.200.

MUNICIPALITY—*contd.*

X.—BURMA—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*k*) FOOD, DRINK AND DRUGS.

Municipal Fund applicable to construction, etc., of markets	Bur.Act3,1898,s.72(2).
Power to—	
inspect market, bakery, dairy or other place used for sale or storage of articles for human consumption, or as a slaughter-house, or for the sale of drugs or for keeping milch animals for profit	" ss.110,111, 111A,111B (ins.Bur.Act 3,1906).
seize and remove or destroy articles unfit for human consumption	
remove noxious or adulterated drug, bring such articles before Magistrate, inspect weights, measures, etc., and remove them to be tested	
Penalties in cases referred to in ss. 110, 111, 111A	" s.158.
Power to make bye-laws—	
regulating sale and transport of specified articles for human consumption, or drugs; fees and conditions for grant of license	" s.102(*1*).
regulating disposal of food, drink or drugs seized under s. 110 or s. 111	" s.142(*i*).
prohibiting sale of flesh of animals slaughtered contrary to s. 99 or s. 100	" s.102.
regulating sanitary condition of bakeries, dairies and places where milch animals are kept for profit	
for prohibiting or licensing establishment of new private markets	" s.142(*f*).
for inspection and regulation of markets	s.142(*g*).
Penalties for breach of bye-laws	" ss.157,180.
Penalty for feeding dairy or slaughter animals on deleterious substance	" s.156.

(*l*) RESTRAINT OF INFECTION.

Obligation of medical practitioner, attendant, etc., to report case of cholera, small-pox or other notified disease; power to remove patient to hospital in certain cases; penalty	" ss.135to137, 172,173.
Power to make bye-laws for precautions to be taken on infectious disease breaking out in lodging houses	" s.142(*d*)(*iv*).
Penalty for infected persons exposing or being exposed in street, public place, etc., or in public conveyance	" s.170(*1*),(2).
Penalty for exposing, selling, etc., without previous disinfection, bedding, clothing, etc., of infected person	" s.170(*3*).
Public conveyance in which infected person has been conveyed to be disinfected	" s.171.

(*m*) DISPOSAL OF THE DEAD.

Power of Committee to close existing burial or burning place; provision of other place for the purpose	" s.103(*1*),(2).

MUNICIPALITY—*contd.*

X.—BURMA—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*m*) DISPOSAL OF THE DEAD—*contd.*

Permission of Committee required to forming of new burial or burning place	Bur.Act3,1898,s.103(*3*).	
Routes for removal of corpses	,,	s.104.
Power to make bye-laws as to burial and burning grounds	,,	s.142(*k*).
Penalty for burying or burning corpse in unauthorized place; suspension of prosecution pending appeal	,,	ss.176,196.
,, carrying corpse along prohibited route or so as to cause annoyance to public	,,	s.175.

(*n*) OFFENSIVE AND DANGEROUS TRADES.

Regulation or prohibition of; penalties; suspension of prosecution under s. 161 pending appeal	,,	ss.133,134,160, 161,196.

(*o*) PREVENTION AND EXTINCTION OF FIRE.

Power to prevent—		
use of inflammable materials in roof or external wall	,,	ss.89,90.
stacking or collecting grass, straw, cotton, wood or other inflammable materials, or placing of mats or thatched huts, or lighting of fires, in any place	,,	s.105.
Power to regulate or prohibit trading in hay, straw, cotton, thatching grass, wood, coal, petroleum or any other explosive or inflammable material	,,	ss.133,134.
Power to make bye-laws requiring occupiers of houses to keep appliances for extinguishing small fires	,,	s.142(*n*).
Establishment and maintenance of fire-brigade	,,	s.138.
Powers of members of fire-brigade and other persons for suppression of fire; such powers subject to restrictions, etc., imposed by rule	,,	ss.139,140.
Volunteer fire-brigades; power to make bye-laws for conduct and guidance of	,,	s.138(*2*).
Sections 138 to 140 not to take effect till specially extended by Local Government	,,	s.141.
See also below, (*r*).		

(*p*) DANGEROUS ANIMALS.

Penalty for suffering unmuzzled dogs to be at large in street or public place	,,	s.167.
Power to make bye-laws regulating or prohibiting the keeping of animals of any specified description	,,	s.142(*r*).

(*q*) HACKNEY-CARRIAGES, BOATS, JOB-HORSES, PORTERS, ETC.

Power to make bye-laws for—		
licensing of vehicles, boats or animals	,,	s.142(*a*).
limiting the rates for hire of carriages, carts, boats or other conveyances, or of animals hired to carry loads, or for services of porters	,,	s.142(*b*).
Saving for vehicles to which the Hackney-carriage Act, 1879, applies	,,	s.142, proviso.

MUNICIPALITY—*contd.*

X.—BURMA—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*q*) HACKNEY-CARRIAGES, BOATS, JOB-HORSES, PORTERS, ETC.—*contd.*

Owner or driver of public conveyance not bound to convey infected person except on payment of costs of disinfection	Bur.Act3,1898,s.171.
Penalty for infected person entering public conveyance, etc.	„ s.170(*1*),(*2*).
Public conveyance in which infected person has been conveyed to be disinfected; penalty for failure	„ s.171.

(*r*) ENTRY AND INSPECTION.

Power to enter building or land and inspect drains, privies or cesspools; opening of ground to prevent or remove nuisance; payment of expenses; notice of entry	„ s.106.
„ „ enter building and direct cleansing for sanitary reasons; notice of entry	„ ss.107,108.
„ „ enter building or land for making survey or valuation, for examining works under construction, for ascertaining course of sewers or drains, or for executing or repairing work; notice of entry	
„ „ enter for discovery of vehicles or animals liable to taxation	„ s.109.
Inspection of encamping-grounds, pounds, *zayats*, wharves, markets, dhobi-ghâts, public washing and bathing places, slaughter-houses	„ ss.110,111, 111A,111B, 142(*g*).
Precautions to be observed in entering dwelling	„ s.113.
See also above, (*h*), (*k*).	

(*s*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.

Municipal Fund applicable to	Bom.Act3,1898,s.72(*2*).
Power to make bye-laws for registration of births, marriages and deaths	„ s.142(*c*).

(*e*) MISCELLANEOUS.

Municipal Fund applicable to—

payment of cost of services rendered by Provincial Departments for education, sanitation, vaccination, medical relief and public works	„ s.72(*1*)(*c*).
construction, etc., of schools, hospitals, veterinary and other dispensaries, educational and other institutions, rest-houses, sarais, poor-houses, encamping-grounds, recreation-grounds, gardens, parks, pounds and other works of public utility grants-in-aid to schools, hospitals, veterinary and other dispensaries, poor-houses, leper-asylums, etc. training of teachers and establishment of scholarships relief and relief-works in time of famine or scarcity planting and preservation of trees public vaccination sanitary measures holding of fairs and industrial exhibitions things likely to promote safety health, welfare or convenience of inhabitants	„ s.72(*2*).

MUNICIPALITY—*contd.*

X.—BURMA—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*concld.*

(*t*) MISCELLANEOUS—*contd.*

Bye-laws; confirmation of	Bur.Act3,1898,s.143.
Notice requiring alteration to be done to fix reasonable time for doing act	,, s.144(*1*).
,, if not complied with, Committee may perform work	,, s.144(*2*).
Recovery of costs of work executed by Committee in default of owner or occupier; deduction from rent of sum paid by occupier; saving of contracts	,, s.145.
Compensation when payable out of Municipal Fund; application of procedure of Act 1, 1894, in settling dispute	,, s.146.
Appeal from certain orders of Committee; limitation; finality of order in appeal; order not to be otherwise questioned	,, s.147.
Lodging-houses, encamping-grounds, pounds, halting-places, pounds, *zayats*, wharves; power to make bye-laws for inspection and regulation of	,, s.142(*d*),(*g*).
Public river, creek, etc.; power to make bye-laws regulating and imposing fees for use of	,, s.142(*h*).
Pawn-brokers; power to make bye-laws for licensing of	,, s.142(*e*).
Exhibitions, fairs, etc.; power to make bye-laws for holding	,, s.142(*j*).
Weights and measures; power to make bye-laws for prescribing standards of and preventing use of false weights, etc., in markets, shops, etc.	,, s.142(*o*).
Animals; power to make bye-laws for regulating or prohibiting the keeping of	,, s.142(*r*).
Vehicles or animals; penalty for stationing of carts or picketing of animals on public ground contrary to orders of Committee	,, s.174.
Penalty for discharging fire-arms or letting-off fire-works or fire-balloons or engaging in dangerous game	,, s.163.
,, suffering unmuzzled dogs to be at large	,, s.167.
,, dangerous quarrying, blasting, cutting of timber or building	,, s.169.
,, soliciting for purposes of prostitution	,, s.181B.
,, unlawful posting of advertisements, etc., on property	,, s.179.
,, not complying with bye-law, lawful directions or notice or conditions, issued or imposed by the Committee; suspension of prosecution pending appeal	,, ss.180,196.
Brothels; power to suppress; penalty	,, ss.181(except Rangoon Town: Bur. Act2,1902,s.2), 181A.

7. Supplemental.

Rules; powers for making	,, ss.8(*1*),9(*2*). 46(*1*),55(*1*),72 (*2*),101,140,189, 193,197(*5*),205 (*2*).

MUNICIPALITY—*contd.*

X.—BURMA—*concld.*

A.—MUNICIPALITIES PROPER—*concld.*

7. Supplemental—*contd.*

Bye-laws; powers for making	Bur.Act3,1898,ss.30(*1*), 38A,86,89,90 (*1*),92(*1*),(*5*), 93(*1*),99,102, 138(*1*),117(*1*), 142.
„ penalties for breach of, if not otherwise provided	„ s.180.
„ confirmation and publication of	„ ss.30(*2*),143, 201.
Rules and bye-laws; preliminary publication of	„ s.201.
„ „ continuance of existing	„ s.202.
Notice; authentication of	„ s.203(*1*).
„ service of	„ s.203.
„ when required to be served on owner or occupier who is unknown	„ s.204.
Arrest; powers of	„ s.194(*2*).
Prosecutions by whom to be initiated	„ s.195.
„ suspension of pending appeal in certain cases	„ s.196.
Compounding for offences	„ ss.180(*2*), 197.
Examination of complainant dispensed with in certain cases	„ s.195A.
Magistrate not disqualified for trying by reason of being member of Committee	„ s.198.
Saving of prosecutions under other laws	„ s.199.
Saving of Local Authorities Loan Act, 1879	„ s.207.
Vacancies and irregularities not to invalidate proceedings	„ s.33.
Member, officer or servant of Committee and farmer or agent for recovery of tax, etc., to be deemed public servant	„ s.44.
Power to decide who is "inhabitant" of any local area within the meaning of Act	„ s.208.

B.—SMALL TOWNS GOVERNED ON MUNICIPAL LINES.

Power to notify areas, impose taxation and regulate expenditure therein, appoint a Committee and extend Municipal Regulation with modifications; notified areas to be deemed municipalities for certain purposes	„ ss.210to213.

XI.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT IN BENGAL.

A.—MUNICIPALITIES PROPER.

1. Preliminary.

Definitions	Act16,1903,ss.2,66,expln., 74.

MUNICIPALITY—*contd.*

XI.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT IN BENGAL—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

2. Constitution and Government.

(a) CONSTITUTION OF MUNICIPALITIES.

Power to create, alter limits of, or abolish, municipality; procedure	Act 16, 1903,	ss.3 to 5.
Effect of including local area in municipality	,,	s.6.
,, excluding local area from municipality	,,	s.7.
Power to except municipality from provisions unsuited thereto and to make rules in respect of excepted matters	,,	s.168.

(b) CONSTITUTION OF MUNICIPAL COMMITTEES.

Nomination or election of members	,,	s.8.
Term of office of members	,,	s.9.
Resignation of members	,,	s.9(4).
Incorporation of Committee	,,	s.10.
Member deemed to be "Municipal Commissioner"	,,	s.11.
President and Vice-President: appointment or election of; term of office of; to be member of Committee	,,	s.12.
Power to make rules as to—		
election of members of Committees	,,	s.150(b),(c),(d).
appointment of members of Committees; term of office of members of Committees	,,	s.150(b).
appointment or election and term of office of Presidents or Vice-Presidents	,,	s.150(b).
division of municipalities into wards	,,	s.150(c).
Removal of member, President or Vice-President	,,	s.13.
Delegation of Local Government's powers as to appointments or resignations	,,	s.14.

(c) CONDUCT OF BUSINESS.

Ordinary and special meetings	,,	s.15.
Time and place for holding meeting	,,	s.16.
Who to be Chairman of meeting	,,	s.17.
Quorum	,,	ss.18,21(c).
Vote of majority ordinarily decisive; Chairman has casting vote	,,	s.19.
Proceedings: record, signature, publication and inspection of; copy of every resolution to be sent to Deputy Commissioner	,,	s.20.
Making and confirmation of bye-laws as to	,,	s.21.
Extraordinary powers of President and Vice-President in cases of emergency	,,	s.22.
Power to make rules as to—		
channels of correspondence	,,	s.150(f).
language of proceedings and correspondence; returns, statements and reports to be submitted by Committees	,,	s.150(j).

MUNICIPALITY—*contd.*

XI.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT IN BENGAL—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

2. Constitution and Government—*contd.*

(*c*) CONDUCT OF BUSINESS—*contd.*

Joint Committees; appointment of, by Municipal Committee and District Council, Local Board, Cantonment Authority or another Municipal Committee; delegation of powers to, and framing of regulations for	Act 16, 1903,	s.23.
Sub-Committees; power to make bye-laws as to	,,	s.21(*d*).
,, delegation of powers of Committee to	,,	s.108.

(*d*) OFFICERS AND SERVANTS.

Secretary; appointment, remuneration and removal of	,,	s.25.
Other officers and servants; employment and salaries of	,,	s.26.
Power to make bye-laws as to duties and salaries of	,,	s.21(*e*).
Power of Commissioner to require reduction of establishment or its cost, or dismissal of unfit persons; appeal	,,	s.27.
Pensions, annuities, gratuities and leave-allowances of	,,	ss.28, 29.
Power to make bye-laws for controlling, and regulating the duties of, persons employed by the Committee for the removal of sewage and filth	,,	s.105(*l*).
Power to make rules as to appointment, promotion and punishment of officers and servants	,,	s.150(*e*).

(*e*) GENERAL POWERS OF OFFICIAL CONTROL.

Deputy Commissioner; copy of resolutions of Committee to be sent to	,,	s.20(2).
,, ,, extraordinary power of, in case of emergency	,,	s.147.
,, ,, or Commissioner; general powers of control exercisable by	,,	s.145.
,, ,, power of, to suspend action of Committee or Joint Committee	,,	s.146.
Commissioner; power of, to prevent extravagance in establishments	,,	s.27.
Commissioner or Local Government; power of, to settle differences between Committees or between Committee and District Council, Local Board or Cantonment Authority	,,	s.23(2).
Local Government; power of—		
to provide for performance of duties in case of default of Committee	,,	s.148.
to supersede Committee in case of incompetency, persistent default or abuse of powers; consequences to ensue on supersession	,,	s.149.
to frame forms and make rules	,,	s.150.
General powers of Local Government over Commissioners and Deputy Commissioners, and of Commissioners over Deputy Commissioners	,,	s.151.

MUNICIPALITY—*contd.*

XI.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT IN BENGAL—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

3. Taxation.

Taxes which may be imposed	Act 16, 1903, s.35.
Determination of gross annual letting value in certain cases	,, s.36.
Assessment of Government buildings in certain cases	,, s.37.
Limitation upon latrine or conservancy tax and water-rate	,, s.38.
Procedure in imposing taxes	,, s.39.
Power to make bye-laws for fixing octroi limits	,, s.105(*m*).
Taxes not invalid for defect of form	,, s.40.
Power to abolish or reduce tax, or suspend operation of tax, or exempt persons or property from tax	,, ss.41,42.
Duty of furnishing true information regarding liability to taxation; penalty	,, s.43.
Recovery of taxes	,, ss.44,150 (*i*).
Power to charge fees for licenses or permissions granted	,, s.45.
Appeal against taxation; limitation	,, ss.46,47.
Taxation not to be questioned except under this Act	,, s.48.
Power to make rules for collection of taxes	,, s.150(*a*).

4. Municipal Fund and Property.

Municipal Fund; constitution of	,, s.49.
,, ,, application of	,, ss.50. 147(2). 148.
,, ,, custody and investment of	,, s.51.
,, ,, disposal of, when area excluded from municipality	,, s.7.
Municipal property; what property vested in Committee	,, s.52
,, ,, power of Committee to hold property	,, s.10.
,, ,, acquisition of land for Committee	,, s.53.
,, ,, power to make bye-laws for protection of	,, s.105(*a*).
,, ,, disposal of, when area excluded from municipality	,, s.7.
,, ,, disposal of, when Committee superseded	,, s.149(2).
Contracts: authority to make contracts	,, s.30.
,, mode of making	,, s.31.
,, penalty on member, officer or servant of Committee being interested in contract made with Committee	,, s.32.
Suit against Committee or officer or servant: notice of; limitation; tender of amends	,, s.33.
Liability of member of Committee for loss, waste or misapplication of money or property	,, s.34.
Power to make rules as to accounts, estimates, and sanction to expenditure	,, s.150(*g*), (*h*).

5. Police.

Committee to maintain police-establishment	,, s.54(*1*).

MUNICIPALITY—*contd.*

XI.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT IN BENGAL—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

5. Police—*contd.*

Pay, leave-allowances, gratuities and pensions of police-establishment	Act 16, 1903, s.54(2).
Local Government may relieve Committee from police-charges, and must then maintain police-establishment	" s.55.
Police to consist of body of watchmen or of part of general police-force	" ss.54(2), 55(2).
Government, appointment, promotion, punishment, duties, powers and responsibilities of watchmen	" s.56(1).
Arrest without warrant of person obstructing watchman	" s.56(2).
Duties of police consisting of part of general police-force	" s.57.
Police to report offences and to assist members, officers and servants of Committee	" s.158(1).
Arrest by police; detention of person arrested	" s.158(2), (3).
Provision by Local Government of police-protection at fairs, etc. Powers of police for suppression of fire	" ss.58, 142.

6. The Public Health, Safety and Convenience.

(a) STREETS AND PUBLIC PLACES.
(b) BUILDINGS.
(c) DANGEROUS BUILDINGS, ETC.
(d) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.
(e) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.
(f) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.
(g) SCAVENGING.
(h) SLAUGHTER-PLACES.
(i) BATHING AND WASHING PLACES.
(j) WATER-SUPPLY.
(k) FOOD, DRINK AND DRUGS.
(l) RESTRAINT OF INFECTION.
(m) DISPOSAL OF THE DEAD.
(n) OFFENSIVE AND DANGEROUS TRADES.
(o) PREVENTION AND EXTINCTION OF FIRE.
(p) DANGEROUS ANIMALS.
(q) HACKNEY-CARRIAGES, BOATS, JOB-HORSES, PORTERS, ETC.
(r) ENTRY AND INSPECTION.
(s) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.
(t) MISCELLANEOUS.

(a) STREETS AND PUBLIC PLACES.

Municipal Fund applicable to construction, maintenance, improvement, cleansing and repair of streets and public bridges and embankments, and watering and lighting of streets	Act 16, 1903, s.50(2)(a),(b).
Acquisition of land for building-sites on sides of streets	" s.59.
Power to close, divert or discontinue streets	" s.60.
Power to permit temporary occupation of street or land, and charge fees therefor	" s.61.
Naming of streets; penalty for destroying or defacing name	" ss.63, 126.
Sections 59 to 63 not to apply to Government land	" s.68.
Power to make bye-laws for regulating traffic in streets	" s.105(r).
Penalty for unlawfully placing earth, materials or offensive matter on street or public place	" s.109.

MUNICIPALITY—*contd.*

XI.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT IN BENGAL—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*a*) STREETS AND PUBLIC PLACES—*contd.*

Penalty for unlawfully discharging sewage on street or public place	Act 16, 1903,	s.110.
,, neglect of the rule of the road	,,	s.115.
,, driving vehicle without proper means of control, or without lights	,,	s.116.
,, not removing elephant or camel to a safe distance	,,	s.118.
,, taking animal or vehicle along a street in disregard of orders of Committee	,,	s.119.
,, unlawfully altering, obstructing or encroaching on street or public place	,,	s.122.
,, defacing or disturbing direction-post or lamp-post, or extinguishing light	,,	s.125.

See also below, (*p*), (*t*).

(*b*) BUILDINGS.

Power to attach brackets for lamps	,,	s.62.
Numbering of buildings; penalty for destroying or defacing number	,,	ss.63,126.
Power to prevent use of inflammable materials in roof or external wall	,,	s.64.
,, to regulate line of buildings; compensation	,,	s.65.
Regulation of new building; compensation	,,	s.66.
Power to make bye-laws for regulation of building	,,	s.105(*n*).
Removal of projections and overhanging structures; compensation	,,	s.67(*1*),(*2*).
Power to permit erection of projecting verandahs, balconies or rooms	,,	s.67(*3*).
Sections 62 to 67 not to apply to Government buildings	,,	s.68.
Putting up and maintaining troughs and pipes for rain-water	,,	s.85.
Power to make bye-laws for regulation of buildings let in lodgings or occupied by coolies or by more than one family	,,	s.105(*j*).

See also below, (*c*), (*d*), (*g*), (*r*).

(*c*) DANGEROUS BUILDINGS, ETC.

Repair, protection or enclosing of dangerous building, well, tank or excavation	,,	s.91.
Removal or repair of dangerous or ruinous building, wall or structure	,,	s.92.

(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.

Clearing away noxious vegetation or undergrowth	,,	s.93.
Cutting or trimming of hedges bordering on street or branches overhanging street or source of public water-supply	,,	s.94.
Cleansing of filthy building or land	,,	s.95.

MUNICIPALITY—*contd.*

XI.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT IN BENGAL—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.—*contd.*

Power to prohibit use for human habitation of building unfit for such use	Act 16, 1903,	s.96.
Securing or enclosing of untenanted building or land becoming a nuisance	,,	s.97.
Prohibition or regulation of cultivation, use of manure or irrigation injurious to health; compensation; penalty	,,	ss.98, 135.

(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

Places for deposit, and directions for removal, of rubbish, offensive matter and carcasses of animals	,,	ss.70, 74.
Disposal of carcasses of animals; penalty	,,	ss.73, 74, 129.
Power to make bye-laws—		
for inspecting and regulating places for disposal of carcasses of animals	,,	s.105(*b*).
for controlling, and regulating the duties of, persons employed for removal of sewage and filth	,,	s.105(*l*).

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Municipal Fund applicable to construction, etc., of public drains, latrines and cesspools	,,	ss.50(*2*)(*a*).
Provision of privy or cesspool	,,	s.86(*1*).
Provision and maintenance of latrines and urinals for workmen	,,	s.86(*2*).
Shutting out of privy from view, etc.	,,	s.86(*3*).
Repair of privy, drain or cesspool; closing of cesspool; connection of drain	,,	s.87(*1*).
Removal or alteration of privy, drain or cesspool	,,	s.87(*2*).
Unauthorised building over sewer or drain vested in Committee	,,	s.88.
Removal or closing of drain, latrine, urinal, cesspool or other receptacle near source of water-supply	,,	s.89.
Penalty for unlawfully placing earth, materials or offensive matter in public sewer or drain or into drain communicating therewith	,,	s.109.
,, unlawfully discharging sewage into drain	,,	s.110.
,, failing to remove offensive matter, or not keeping same in proper receptacle, or keeping receptacle in filthy state	,,	s.111.
,, making or altering drain without proper authority	,,	s.112.
,, unlawfully altering, obstructing or encroaching on drain	,,	s.122.

See also below, (*r*).

(*g*) SCAVENGING.

Power of Committee to provide for scavenging by its own agents; entry for performance and supervision of scavenging	,,	s.82.
Power to make bye-laws as to	,,	s.105(*l*).

MUNICIPALITY—*contd.*

XI.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT IN BENGAL—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*h*) SLAUGHTER-PLACES.

Places for slaughter of animals for sale; penalty for slaughter elsewhere	Act 16, 1903,	ss.71, 74, 127.
Regulation of slaughter of animals for purposes other than sale; penalty	,,	ss.72, 74, 128.
Power to make bye-laws for inspection and regulation of slaughter-houses	,,	s.105(*b*).

See also below, (*k*).

(*i*) BATHING AND WASHING PLACES.

Establishment and regulation of	,,	s.69.
Power to make bye-laws for inspection and regulation of dhobis' ghâts	,,	s.105(*b*).

(*j*) WATER-SUPPLY.

Municipal Fund applicable to supply, storage and preservation of water	,,	s.50(2)(*g*).
Unauthorised building over water-course or water-pipe vested in Committee	,,	s.88.
Removal or closing of drain, latrine, urinal, cesspool or other receptacle near source of water-supply	,,	s.89.
Cleansing, repair, covering, filling-up or draining-off of private tank, well, reservoir, pool or excavation injurious to health or offensive; provision of land or payment of compensation	,,	s.90.
Power to make bye-laws— for supervision and regulation of public cisterns, water-standards, wells, tanks, springs and other sources of public water-supply; for regulating and controlling supply of water to private premises	,,	s.105(*k*).
Penalty for making or keeping drain, latrine, etc., near source of public water-supply	,,	s.113.
,, unlawfully altering, obstructing or encroaching on public water-course	,,	s.122.
Power to make rules regulating conservancy of reservoir and catchment area outside municipality	,,	s.165.

(*k*) FOOD, DRINK AND DRUGS.

Municipal Fund applicable to construction, etc., of markets	,,	s.50(2)(*c*).
Power to— inspect market or other place used for sale or storage of articles for human consumption, or as a slaughter house, or for the sale of drugs; seize and remove or destroy articles unfit for human consumption; remove noxious or adulterated drug; bring such articles before Magistrate	,,	s.81(*1*).

MUNICIPALITY—*contd.*

XI.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT IN BENGAL—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*k*) FOOD, DRINK AND DRUGS—*contd.*

Penalties in cases referred to in section 81(*1*)	Act 16, 1903,	s.133.
Right to purchase article for purposes of analysis	,,	ss.81(*2*),132 (*3*),134.
Power to make bye-laws—		
regulating sale and transport of articles for human consumption, or drugs; prohibiting sale of flesh of animals slaughtered contrary to s. 71; regulating sanitary condition of bakeries, dairies and places where milch animals are kept for profit	,,	s.102(*1*).
for inspection and regulation of markets	,,	s.105(*b*).
Penalties for breach of bye-laws	,,	ss.102(*2*), 105(*2*).
Confirmation and publication of bye-laws	,,	ss.102(*3*), 105(*3*).
Penalty for feeding dairy or slaughter animals on deleterious substance	,,	s.114.
,, making or selling food when suffering from disease	,,	s.124.
,, selling article for human consumption of a nature different from the article demanded	,,	s.132.

(*l*) RESTRAINT OF INFECTION.

Prohibition of use of unwholesome water for drinking purposes, or disinfection	,,	s.104.

(*m*) DISPOSAL OF THE DEAD.

Power of Committee to close existing burial or burning place; provision of other place for the purpose	,,	s.75(*1*),(*2*).
Permission of Committee required to forming of new burial or burning place	,,	s.75(*3*).
Routes for removal of corpses	,,	s.76.
Power to make bye-laws as to burial and burning grounds	,,	s.105(*e*).
Penalty for burying or burning corpse in unauthorized place; suspension of prosecution pending appeal	,,	ss.130,140.
,, carrying corpse along prohibited route or so as to cause annoyance to public	,,	s.131.

(*n*) OFFENSIVE AND DANGEROUS TRADES.

Regulation or prohibition of; penalties; suspension of prosecution pending appeal	,,	ss.99,100, 136,137,140.
Licensing of milkmen, cartmen and keepers of hackney-carriages; penalty	,,	ss.101,136.

MUNICIPALITY—*contd.*

XI.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT IN BENGAL—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*o*) PREVENTION AND EXTINCTION OF FIRE.

Power to prevent—		
use of inflammable materials in roof or external wall	Act 16, 1903,	s.64.
stacking or collecting grass, straw, cotton, wood or other inflammable materials, or placing of mats or thatched huts, or lighting of fires, in any place	,,	s.77.
Power to regulate or prohibit trading in hay, straw, cotton, thatching grass, wood, coal, petroleum or any other explosive or inflammable material; penalties; suspension of prosecution pending appeal	,,	ss.99,100, 136,137,140.
Power to make bye-laws for regulating the storage of petroleum or other explosive material	,,	s.105(*o*).
Establishment and maintenance of fire-brigade	,,	s.141.
Powers of members of fire-brigade and other persons for suppression of fire; such powers subject to restrictions, etc., imposed by rule	,,	ss.142,143.
Sections 141 to 143 not to take effect till specially applied by Local Government	,,	s.144.
Power to make rules as to powers to be exercised on occasion of fire	,,	s.150(*k*).
See also below, (*r*).		

(*p*) DANGEROUS ANIMALS.

Destruction or confinement of mad or stray dogs	,,	s.103.

(*q*) HACKNEY-CARRIAGES, BOATS, JOB-HORSES, PORTERS, ETC.

Licensing of hackney-carriages	,,	s.101.
Power to make bye-laws for—		
licensing of vehicles, boats or animals	,,	s.105(*g*).
limiting the rates for hire of carriages, carts, boats or other conveyances, or of animals hired to carry loads, or for services of porters	,,	s.105(*h*).
Saving for vehicles to which the Hackney-carriage Act, 1879, applies	,,	s.105(*4*).

(*r*) ENTRY AND INSPECTION.

Power to enter building or land and inspect drains, privies or cesspools; opening of ground to prevent or remove nuisance; payment of expenses; notice of entry	,,	s.78.
,, enter building and direct cleansing for sanitary reasons; notice of entry		
,, enter building or land for making survey or valuation, for examining works under construction, for ascertaining course of sewers or drains, or for executing or repairing work; notice of entry	,,	s.79.
,, enter for discovery of vehicles or animals liable to taxation	,,	s.80.

MUNICIPALITY—*contd.*

XI.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT IN BENGAL—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*r*) ENTRY AND INSPECTION—*contd.*

Power to enter and inspect building containing petroleum or other explosive or other inflammable material; seizure and disposal of excess quantities	Act 16, 1903,	s.83.
Inspection of encamping-grounds, halting-places, pounds, sarais, markets, dhobi-ghâts, slaughter-houses, places for disposal of carcasses, and places of public entertainment and resort	,,	s.105(*b*).
Precautions to be observed in entering dwelling	,,	s.84.

See also above, (*k*).

(*s*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.

Municipal Fund applicable to	Act 16, 1903,	s.50(*2*)(*i*).
Power to make bye-laws for registration of births, marriages and deaths	,,	s.105(*i*).

(*t*) MISCELLANEOUS.

Municipal Fund applicable to—

payment of expenses of pauper lunatics sent to asylums; payment of cost of services rendered by Provincial Departments for education, sanitation, vaccination, medical relief and public works	,,	s.50(*1*)(*c*).
construction, etc., of schools, hospitals, veterinary and other dispensaries, educational and other institutions, rest-houses, sarais, poor-houses, encamping-grounds, recreation-grounds, gardens, parks, pounds and other works of public utility; grants-in-aid to schools, hospitals, veterinary and other dispensaries, poor-houses, leper-asylums, etc.	,,	s.50(*2*)(*c*), (*d*).
training of teachers and establishment of scholarships	,,	s.50(*2*)(*e*).
relief and relief-works in time of famine or scarcity	,,	s.50(*2*)(*f*).
planting and preservation of trees	,,	s.50(*2*)(*h*).
public vaccination and other sanitary measures	,,	s.50(*2*)(*i*).
holding of fairs and industrial exhibitions	,,	s.50(*2*)(*k*).
things likely to promote safety, health, welfare or convenience of inhabitants	,,	s.50(*2*)(*l*).
other matters, at discretion of Committee and Local Government	,,	s.50(*2*)(*m*).
Encamping-grounds, halting-places, pounds, sarais and places of public entertainment and resort; power to make bye-laws for inspection and regulation of	,,	s.105(*b*).
Brokers, measurers and weighmen; power to make bye-laws for licensing of	,,	s.105(*c*).
Weights and measures; power to make bye-laws for prescribing standards of	,,	s.105(*d*).
Smoke-nuisances; power to make bye-laws for consumption of smoke of factory	,,	s.105(*f*).
Animals; power to make bye-laws for regulating or prohibiting the keeping of	,,	s.105(*p*).

MUNICIPALITY—*contd.*

XI.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT IN BENGAL—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6 The Public Health, Safety and Convenience—*concld.*

(*t*) MISCELLANEOUS—*contd.*

Vehicles or animals; power to make bye-laws for regulating or prohibiting stationing of carts or picketing of animals on ground under control of Committee	Act 16, 1903,	s.105(*q*).
Nuisances; power of Committee to prohibit commission of	,,	s.106.
,, power to invest Committee with powers of District Magistrate under s. 133 of the Code of Criminal Procedure, 1898; application of ss. 133 to 142 of Code	,,	s.107.
,, delegation to sub-committees of Committee's powers under s. 106 or s. 107	,,	s.108.
Penalty for discharging fire-arms or letting-off fire-works or fire-balloons or engaging in dangerous game	,,	s.117.
,, beating drum or sounding musical instrument so as to cause annoyance to public	,,	s.120.
,, suffering animals to be at large	,,	s.121.
,, dangerous quarrying, blasting, cutting of timber or building	,,	s.123.
,, soliciting for purposes of prostitution	,,	s.138.
,, not complying with notice or conditions; suspension of prosecution pending appeal	,,	ss.139,140.
Brothels: power to suppress; penalty	,,	s.167.

7. Supplemental.

Rules; powers for making	,,	ss.150,165, 168(*2*).
Bye-laws; powers for making	,,	ss.21(*1*),102 (*1*),105(*1*),108 (*2*).
,, penalties for breach of	,,	ss.102(*2*), 105(*2*).
,, confirmation and publication of	,,	ss.21(*2*), 102(*3*),105(*3*).
Rules and bye-laws; preliminary publication of	,,	s.164.
Notice to fix reasonable time for doing Act	,,	s.153(*1*).
,, authentication of	,,	s.152(*1*).
,, service of	,,	ss.152,154.
,, when to be served on occupier	,,	s.153(*2*).
,, publication of	,,	s.155.
,, not invalid for defect of form	,,	s.152(*5*).
,, when not complied with, Committee may perform act	,,	s.153(*3*).
Recovery of cost of work executed by Committee in default of owner or occupier; deduction from rent of sum paid by occupier; barring of contracts	,,	s.156.
Compensation when payable out of Municipal Fund; application of procedure of Land Acquisition Act for settlement of disputes	,,	s.157.
Arrest; powers of	,,	s.158(*2*).

MUNICIPALITY—*contd.*

XI.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT IN BENGAL—*concld.*

A.—MUNICIPALITIES PROPER—*concld.*

7. Supplemental—*contd.*

Prosecutions by whom to be initiated	Act 16, 1903,	s.159.
Compounding for offences	,,	s.150(*b*),160.
Appeal when allowed	,,	ss.161,162.
,, suspension of action pending	,,	ss.140,163.
Saving of Local Authorities Loan Act, 1879	,,	s.166.
Vacancies and irregularities not to invalidate proceedings	,,	ss.24,40, 152(*5*).

B.—SMALL TOWNS GOVERNED ON MUNICIPAL LINES.

Power to notify areas, impose taxation and regulate expenditure therein, appoint a Committee and extend Municipal Act with modifications	,,	ss.169 to 172.

XII.—COORG.

A.—MUNICIPALITIES PROPER.

1. Preliminary.

Definitions	Reg. 2, 1907,	ss.2,60, expln.,68.

2. Constitution and Government.

(*a*) CONSTITUTION OF MUNICIPALITIES.

Power to create, alter limits of, or abolish, municipality; procedure	,,	ss.3 to 5.
Effect of including local area in municipality	,,	s.6.
,, excluding local area from municipality	,,	s.7.
Power to except municipality from provisions unsuited thereto, and to make rules in respect of excepted matters	,,	s.162.

(*b*) CONSTITUTION OF MUNICIPAL COMMITTEES.

Nomination or election of members	,,	s.8.
Term of office of members	,,	s.9.
Resignation of members	,,	s.9(*4*).
Incorporation of Committee	,,	s.10.
Member deemed to be "Municipal Commissioner"	,,	s.11.
President and Vice-President: appointment or election of; term of office of; to be member of Committee	,,	s.12.
Power to make rules as to—		
election of members of Committees	,,	s.144(*b*),(*c*),(*d*).
appointment of members of Committees	,,	s.144(*b*).
term of office of members of Committees	,,	s.144(*b*).
appointment or election and term of office of Presidents or Vice-Presidents	,,	s.144(*b*).
division of municipalities into wards	,,	s.144(*c*).
Removal of member, President or Vice-President	,,	s.13.

MUNICIPALITY—*contd.*

XII.—COORG—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

2. Constitution and Government—*contd.*

(*b*) CONSTITUTION OF MUNICIPAL COMMISSION—*contd.*

Delegation of Chief Commissioner's powers as to appointments or resignations	Reg.2,1907,s.14.	

(*c*) CONDUCT OF BUSINESS.

Ordinary and special meetings	,,	s.15.
Time and place of holding meeting	,,	s.16.
Who to be Chairman of meeting	,,	s.17.
Quorum	,,	ss.18,21(*c*).
Vote of majority ordinarily decisive; Chairman has casting vote	,,	s.19.
Proceedings: record, signature, publication and inspection of; copy of every resolution to be sent to Commissioner	,,	s.20.
Making and confirmation of bye-laws as to	,,	s.21.
Extraordinary powers of President and Vice-President in cases of emergency	,,	s.22.
Power to make rules as to—		
channels of correspondence	,,	s.144(*f*).
language of proceedings and correspondence	,,	s.144(*j*).
returns, statements and reports to be submitted by Committees	,,	s.144(*j*).
Joint Committees: appointment of, by Municipal Committee and District Council, Local Board, Cantonment Authority or another Municipal Committee; delegation of powers to, and framing of regulations for	,,	s.23.
Sub-Committees; power to make bye-laws as to	,,	s.21(*d*).
,, delegation of powers of Committee to	,,	s.102.

(*d*) OFFICERS AND SERVANTS.

Secretary; appointment, remuneration and removal of	,,	s.25.
Other officers and servants; employment and salaries of	,,	s.26.
Power to make bye-laws as to duties and salaries of	,,	s.21(*e*).
Power of Commissioner to require reduction of establishment or its cost, or dismissal of unfit persons; appeal	,,	s.27.
Pensions, annuities, gratuities and leave-allowances of	,,	ss.28,29.
Power to make bye-laws for controlling, and regulating the duties of, persons employed by the Committee for the removal of sewage and filth	,,	s.99(*l*).
Power to make rules as to appointment, promotion and punishment of officers and servants	,,	s.144(*e*).

(*e*) GENERAL POWERS OF OFFICIAL CONTROL.

Commissioner; copy of resolutions of Committee to be sent to	,,	s.20(2).
,, power of, to settle differences between Committees or between Committee and District Council, Local Board or Cantonment Authority	,,	s.23(2).

MUNICIPALITY—*contd.*

XII.—COORG—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

2. Constitution and Government—*contd.*

(*e*) GENERAL POWERS OF OFFICIAL CONTROL—*contd.*

Commissioner ; power of, to prevent extravagance in establishments	Reg.2,1907,s.27.
,, general powers of control exerciseable by	,, s.139.
,, power of, to suspend action of Committee or Joint Committee	,, s.140.
,, extraordinary power of, in case of emergency	,, s.141.
,, power of, to revise orders made by Committee under ss. 69, 80, 81, 82, 84, 90 or 94 ; suspension of proceedings when revision proceedings instituted	,, ss.155,157.
Chief Commissioner ; power of, to provide for performance of duties in case of default of Committee	,, s.142.
,, power of, to supersede Committee in case of incompetency, persistent default or abuse of powers ; consequences to ensue on supersession	,, s.143.
,, power of, to frame forms and make rules	,, s.144.
General powers of Chief Commissioner over Commissioner	,, s.145.

3. Taxation.

Taxes which may be imposed	,, s.35.
Assessment of Government buildings in certain cases	,, s.36.
Limitation upon latrine or conservancy tax and water-rate	,, s.37.
Procedure in imposing taxes	,, s.38.
Power to make bye-laws for fixing octroi-limits	,, s.99(*m*).
Taxes not invalid for defect of form	,, s.39.
Power to abolish or reduce tax, or suspend operation of tax, or exempt persons or property from tax	,, ss.40,41.
Duty of furnishing true information regarding liability to taxation ; penalty	,, s.42.
Recovery of taxes	,, ss.43,144(*i*).
Power to charge fees for licenses or permissions granted	,, s.44.
Appeal against taxation ; limitation	,, ss.45,46.
Taxation not to be questioned except under this Regulation	,, s.47.
Power to make rules for collection of taxes	,, s.144(*a*).

4. Municipal Fund and Property.

Municipal Fund ; constitution of	,, s.48.
,, ,, application of	,, ss.49,141(2), 142.
,, ,, custody and investment of	,, s.50.
,, ,, disposal of, when area excluded from municipality	,, s.7.
Municipal property ; what property vested in Committee	,, s.51.
,, ,, power of Committee to hold property	,, s.10.

MUNICIPALITY—*contd*:

XII.—COORG—*contd*.

A.—MUNICIPALITIES PROPER—*contd*.

4. Municipal Fund and Property—*contd*.

Municipal property; acquisition of land for Committee	Reg.2,1907,s.52.
" " power to make bye-laws for protection of	" s.99(*a*).
" " disposal of, when area excluded from municipality	" s.7.
" " disposal of, when Committee superseded	" s.143(*2*).
Contract: authority to make contracts	" s.30.
" mode of making	" s.31.
" penalty on member, officer or servant of Committee being interested in contract made with Committee	" s.32.
Suit against Committee or officer or servant: notice of; limitation; tender of amends	" s.33.
Liability of member of Committee for loss, waste or misapplication of money or property	" s.34.
Power to make rules as to accounts, estimates, and sanction to expenditure	" s.144(*g*),(*h*).

5. Police.

Power of police for suppression of fire	" s.136.
Police to report offences and assist members, officers and servants of Committee	" s.152(*1*).
Arrest by police; detention of person arrested	" s.152(*2*).

6. The Public Health, Safety and Convenience.

(*a*) STREETS AND PUBLIC PLACES.
(*b*) BUILDINGS.
(*c*) DANGEROUS BUILDINGS, ETC.
(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.
(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.
(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.
(*g*) SCAVENGING.
(*h*) SLAUGHTER-PLACES.
(*i*) BATHING AND WASHING PLACES.
(*j*) WATER-SUPPLY.
(*k*) FOOD, DRINK AND DRUGS.
(*l*) RESTRAINT OF INFECTION.
(*m*) DISPOSAL OF THE DEAD.
(*n*) OFFENSIVE AND DANGEROUS TRADES.
(*o*) PREVENTION AND EXTINCTION OF FIRE.
(*p*) DANGEROUS ANIMALS.
(*q*) HACKNEY-CARRIAGES, BOATS, JOB-HORSE, PORTERS, ETC.
(*r*) ENTRY AND INSPECTION.
(*s*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.
(*t*) MISCELLANEOUS.

(*a*) STREETS AND PUBLIC PLACES.

Municipal Fund applicable to construction, maintenance, improvement, cleansing and repair of streets and public bridges and embankments, and watering and lighting of streets	Reg.2,1907,s.49(*2*)(*a*),(*b*).
Acquisition of and for building-sites on sides of streets	" s.53.
Power to close, divert or discontinue streets	" s.54.
Power to permit temporary occupation of street or land, and charge fees therefor	" s.55.
Naming of streets; penalty for destroying or defacing name	" ss.57,120.

MUNICIPALITY—*contd.*

XII.—COORG—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*a*) STREETS AND PUBLIC PLACES—*contd.*

Sections 53 to 57 not to apply to Government land . . . Reg.2,1907,s.62.
Power to make bye-laws for regulating traffic in streets . . ,, s.99(*r*).
Penalty for unlawfully placing earth, materials or offensive matter on street or public place . . . . ,, s.103.
,, unlawfully discharging sewage on street or public place . . . . . ,, s.104.
,, neglect of the rule of the road . . . . ,, s.109.
,, driving vehicle without proper means of control, or without lights . . . . . ,, s.110.
,, not removing elephant or camel to a safe distance . ,, s.112.
,, taking animal or vehicle along a street in disregard of orders of Committee . . . . . ,, s.113.
,, unlawfully altering, obstructing or encroaching on street or public place . . . . . ,, s.116.
,, defacing or disturbing direction-post or lamp-post, or extinguishing light . . . . . ,, s.119.
See also below (*p*), (*t*).

(*b*) BUILDINGS.

Power to attach brackets for lamps. . . . . ,, s.56.
Numbering of buildings; penalty for destroying or defacing number . . . . . ,, ss.57,120.
Power to prevent use of inflammable materials in roof or external wall . . . . . ,, s.58.
,, to regulate line of buildings; compensation . . . ,, s.59.
Regulation of new buildings; compensation . . . . ,, s.60.
Power to make bye-laws for regulation of building . . . ,, s.99(*n*).
Removal of projections and overhanging structures; compensation . . . . . ,, s.61(*1*),(*2*).
Power to permit erection of projecting verandahs, balconies or rooms . . . . . ,, s.61(*3*).
Sections 56 to 61 not to apply to Government buildings . . ,, s.62.
Putting up and maintaining troughs and pipes for rain-water . ,, s.79.
Power to make bye-laws for regulation of buildings let in lodgings or occupied by coolies or by more than one family . . . ,, s.99(*j*).
See also below, (*c*), (*d*), (*g*), (*r*).

(*c*) DANGEROUS BUILDINGS, ETC.

Repair, protection or enclosing of dangerous building, well, tank or excavation . . . . . ,, s.85.
Removal or repair of dangerous or ruinous building, wall or structure . . . . . ,, s.86.

MUNICIPALITY—*contd.*

XII.—COORG—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC

Clearing away noxious vegetation or undergrowth . . .	Reg.2,1907,s.87.
Cutting or trimming of hedges bordering on street or branches overhanging street or source of public water-supply . .	„ s.88.
Cleansing of filthy building or land	„ s.89.
Power to prohibit use for human habitation of building unfit for such use	„ s.90.
Securing or enclosing of untenanted building or land becoming a nuisance	„ s.91.
Prohibition or regulation of cultivation, use of manure or irrigation injurious to health ; compensation ; penalty . . .	„ ss.92,129.

(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

Places for deposit, and directions for removal, of rubbish, offensive matter and carcasses of animals	„ ss.64,68.
Disposal of carcasses of animals ; penalty	„ ss.67,68, 123.
Power to make bye-laws—	
for inspecting and regulating places for disposal of carcasses of animals	„ s.99(*b*).
for controlling, and regulating the duties of, persons employed for removal of sewage and filth	„ s.99(*l*).

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Municipal Fund applicable to construction, etc., of public drains, latrines and cesspools	„ s.49(*2*).
Provision of privy or cesspool	„ s.80(*1*).
Provision and maintenance of latrines and urinals for workmen .	„ s.80(*2*).
Shutting out of privy from view, etc.	„ s.80(*3*).
Repair of privy, drain or cesspool ; closing of cesspool ; connection of drain	„ s.81(*1*).
Removal of privy, drain or cesspool	„ s.81(*2*).
Unauthorised building over sewer or drain vested in Committee	„ s.82.
Removal or closing of drain, latrine, urinal, cesspool or other receptacle near source of water-supply	„ s.83.
Penalty for unlawfully placing earth, materials, or offensive matter in public sewer or drain or into drain communicating therewith	„ s.103.
„ unlawfully discharging sewage into drain . . .	„ s.104.
„ failing to remove offensive matter, or not keeping same in proper receptacle, or keeping receptacle in filthy state	„ s.105.
„ making or altering drain without proper authority .	„ s.106.
„ unlawfully altering, obstructing or encroaching on drain	„ s.116.

See also below (*r*).

MUNICIPALITY—*contd.*

XII.—COORG—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*g*) SCAVENGING.

Power of Committee to provide for scavenging by its own agents; entry for performance and supervision of scavenging	Reg. 2, 1907,	s.76.
Power to make bye-laws as to	,,	s.99(*l*).

(*h*) SLAUGHTER-PLACES.

Places for slaughter of animals for sale; penalty for slaughter elsewhere	,,	ss.65, 68, 121.
Regulation of slaughter of animals for purposes other than sale; penalty	,,	ss.66, 68, 122.
Power to make bye-laws for inspection and regulation of slaughter-houses	,,	s.99(*b*).

See also below, (*k*).

(*i*) BATHING AND WASHING PLACES.

Establishment and regulation of	,,	s.63.
Power to make bye-laws for inspection and regulation of dhobis' ghâts	,,	s.99(*b*).

(*j*) WATER-SUPPLY.

Municipal Fund applicable to supply, storage and preservation of water	,,	s.49(2).
Unauthorised building over water-course or water-pipe vested in Committee	,,	s.82.
Removal or closing of drain, latrine, urinal, cesspool or other receptacle near source of water-supply	,,	s.83.
Cleansing, repair, covering, filling-up or draining-off of private tank, well, reservoir, pool or excavation injurious to health or offensive; provision of and or payment of compensation	,,	s.84.
Power to make bye-laws— for supervision and regulation of public cisterns, wells and other sources of public water-supply; for regulating and controlling supply of water to private premises	,,	s.99(*k*).
Penalty for making or keeping drain, latrine, etc., near source of public water-supply	,,	s.107.
,, unlawfully altering, obstructing or encroaching on public water-course	,,	s.116.
Power to make rules regulating conservancy of reservoir and catchment area outside municipality	,,	s.159.

(*k*) FOOD, DRINK AND DRUGS.

Municipal Fund applicable to construction, etc., of markets	,,	s.49(2).
Power to— inspect market or other place used for sale or storage of articles for human consumption, or as a slaughter-house, or for the sale of drugs; seize and remove or destroy articles unfit for human consumption; remove noxious or adulterated drug; bring such articles before Magistrate	,,	s.75(*1*).

MUNICIPALITY—*contd.*

XII.—COORG—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd*

(*k*) FOOD, DRINK AND DRUGS—*contd.*

Penalties in cases referred to in section 75(*1*) . . . . . Reg.1907,s.127.

Right to purchase article for purposes of analysis . . . . ,, ss.75(*2*),126 (*2*),128.

Power to make bye-laws—

regulating sale and transport of articles for human consumption, or drugs . . . . . ,, s.96(*1*).

prohibiting sale of flesh of animals slaughtered contrary to s. 65 . . . . . ,, s.96(*1*).

regulating sanitary condition of bakeries, dairies and places where milch animals are kept for profit . . . . ,, s.96(*1*).

for inspection and regulation of markets . . . . . ,, s.99(*b*).

Penalties for breach of bye-laws . . . . . ,, ss.96(*2*), 99(*2*).

Confirmation and publication of bye-laws. . . . . ,, ss.96(*3*),99(*3*).

Penalty for feeding dairy or slaughter animals on deleterious substance . . . . . ,, s.108.

,, making or selling food when suffering from disease . ,, s.118.

,, selling article for human consumption of a nature different from the article demanded . . . ,, s.126.

(*l*) RESTRAINT OF INFECTION.

Prohibition of use of unwholesome water for drinking purposes, or disinfection . . . . . ,, s.98.

(*m*) DISPOSAL OF THE DEAD.

Power of Committee to close existing burial or burning place; provision of other place for the purpose . . . . ,, s.69(*1*),(*2*).

Permission of Committee required to forming of new burial or burning place . . . . . ,, s.69(*3*).

Routes for removal of corpses . . . . . ,, s.70.

Power to make bye-laws as to burial and burning grounds . . ,, s.99(*e*).

Penalty for burying or burning corpse in unauthorized place; suspension of prosecution pending appeal . . ,, ss.124,134.

,, carrying corpse along prohibited route or so as to cause annoyance to public . . . . ,, s.125.

(*n*) OFFENSIVE AND DANGEROUS TRADES.

Regulation or prohibition of; penalties; suspension of prosecution pending appeal .. . . . . ,, ss.93,94,130, 131,134.

Licensing of milkmen, cartmen and keepers of hackney-carriages; penalty . . . . . ,, ss.95,130.

(*o*) PREVENTION AND EXTINCTION OF FIRE.

Power to prevent—

use of inflammable materials in roof or external wall . . . s.59.

MUNICIPALITY—*contd.*

XII.—COORG—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*o*) PREVENTION AND EXTINCTION OF FIRE—*contd.*

Power to prevent—*contd.*

stacking or collecting grass, straw, cotton, wood or other inflammable materials, or placing of mats or thatched huts, or lighting of fires, in any place . . . . . Reg.2,1907,s.71.

Power to regulate or prohibit trading in hay, straw, cotton, thatching grass, wood, coal, petroleum or any other explosive or inflammable material; penalties; suspension of prosecution pending appeal . . . . . ,, ss.93,94,130, 131,134.

Power to make byelaws for regulating the storage of petroleum or other explosive material . . . . . ,, s.99(*o*).

Establishment and maintenance of fire-brigade . . . . ,, s.135.

Powers of members of fire-brigade and other persons for suppression of fire; such powers subject to restrictions, etc., imposed by rule . . . . . ,, ss.136,137.

Sections 135 to 137 not to take effect till specially extended by Chief Commissioner . . . . . ,, s.138.

Power to make rules as to powers to be exercised on occasion of fire . . . . . ,, s.144(*k*).

See also below, (*r*).

(*p*) DANGEROUS ANIMALS.

Destruction or confinement of mad or stray dogs . . . . ,, s.97.

(*q*) HACKNEY-CARRIAGES, BOATS, JOB-HORSES, PORTERS, ETC.

Licensing of hackney-carriages . . . . . Reg.2,1907,s.95.

Power to make bye-laws for—

licensing of vehicles, boats or animals . . . . . ,, s.99(*g*).

limiting the rates for hire of carriages, carts, boats or other conveyances, or of animals hired to carry loads, or for services of porters . . . . . ,, s.99(*h*).

Saving for vehicles to which the Hackney-carriage Act, 1879, applies . . . . . ,, s.99(*i*).

(*r*) ENTRY AND INSPECTION.

Power to enter building or land and inspect drains, privies or cesspools; opening of ground to prevent or remove nuisance; payment of expenses; notice of entry . ,, s.72.

,, enter building and direct cleansing for sanitary reasons; notice of entry . . . . . ,, enter building or land for making survey or valuation, for examining works under construction, for ascertaining course of sewers or drains, or for executing or repairing work; notice of entry . . . ,, s.73.

,, enter for discovery of vehicles or animals liable to taxation . . . . . ,, s.74.

,, enter and inspect building containing petroleum or other explosive or other inflammable material; seizure and disposal of excess quantities . . . . ,, s.77.

MUNICIPALITY—*contd.*

XII.—COORG—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*r*) ENTRY AND INSPECTION—*contd.*

Inspection of encamping-grounds, halting-places, pounds, sarais, markets, dhobi-ghâts, slaughter-houses, places for disposal of carcasses, and places of public entertainment and resort	Reg.2,1907,	s.99(*b*).
Precautions to be observed in entering dwelling	,,	s.78.

See also above, (k).

(*s*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.

Municipal Fund applicable to	,,	s.49(*2*).
Power to make bye-laws for registration of births, marriages and deaths	,,	s.99(*i*).

(*t*) MISCELLANEOUS.

Municipal Fund applicable to—

payment of cost of services rendered by Provincial Departments for education, sanitation, vaccination, medical relief and public works	,,	s.49(*1*)(*c*).
construction, etc., of schools, hospitals, veterinary and other dispensaries, educational and other institutions, rest-houses, sarais, poor-houses, encamping-grounds, recreation-grounds, gardens, parks, pounds and other works of public utility grants-in-aid to schools, hospitals, veterinary and other dispensaries, poor-houses, leper-asylums, etc. training of teachers and establishment of scholarships relief and relief-works in time of famine or scarcity planting and preservation of trees public vaccination sanitary measures holding of fairs and industrial exhibitions things likely to promote safety, health, welfare or convenience of inhabitants other matters, at discretion of Committee and Chief Commissioner	,,	s.49(*2*).
Encamping-grounds, halting-places, pounds, sarais and places of public entertainment and resort; power to make bye-laws for inspection and regulation of	,,	s.99(*b*).
Brokers, measurers and weighmen; power to make bye-laws for licensing of	,,	s.99(*c*).
Weights and measures; power to make byelaws for prescribing standards of	,,	s.99(*d*).
Smoke-nuisances; power to make bye-laws for consumption of smoke of factory	,,	s.99(*f*)
Animals; power to make bye-laws for regulating or prohibiting the keeping of	,,	s.99(*p*),
Vehicles or animals; power to make bye-laws for regulating or prohibiting stationing of carts or picketing of animals, on ground under control of Committee	,,	s.99(*q*).
Nuisances; power of Committee to prohibit commission of	,,	s.100.

MUNICIPALITY—*contd.*

XII.—COORG—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*t*) MISCELLANEOUS—*contd.*

Nuisances; power to invest Committee with powers of District Magistrate under s. 133 of the Code of Criminal Procedure, 1898; application of ss. 133 to 142 of Code	Reg.2,1907,s.101.
„ delegation to Sub-Committees of Committee's powers under s. 100 or s. 101	„ s.102.
Penalty for discharging fire-arms or letting-off fire-works or fire-balloons or engaging in dangerous game	„ s.111.
„ beating drum or sounding musical instrument so as to cause annoyance to public	„ s.114.
„ suffering animals to be at large	„ s.115.
„ dangerous quarrying, blasting, cutting of timber or building	„ s.117.
„ soliciting for purposes of prostitution	„ s.132.
„ not complying with notice or conditions; suspension of prosecution pending appeal	„ ss.133,134.
Brothels: power to suppress; penalty	„ s.161.

7. Supplemental.

Rules; powers for making	„ ss.144,159, 162(*2*).
Bye-laws; powers for making	„ ss.21(*1*),96 (*1*),99(*1*),102(*2*).
„ penalties for breach of	„ ss.96(*2*), 99(*2*).
„ confirmation and publication of	„ ss.21(*2*), 96(*3*),99(*3*).
Rules and bye-laws; preliminary publication of	„ s.158.
Notice to fix reasonable time for doing act	„ s.147(*1*).
„ authentication of	„ s.146(*1*).
„ service of	„ ss.146,148.
„ when to be served on occupier	„ s.147(*2*).
„ publication of	„ s.149.
„ not invalid for defect of form	„ s.146(*5*),
„ when not complied with, Committee may perform act	„ s.147(*3*).
Recovery of cost of work executed by Committee in default of owner or occupier; deduction from rent of sum paid by occupier; barring of contracts	„ s.150.
Compensation when payable out of Municipal Fund; application of procedure of Land Acquisition Act for settlement of disputes	„ s.151.
Arrest; powers of	„ s.152(*2*).
Prosecutions by whom to be initiated	„ s.153,
Compounding for offences	„ s.144(*l*),154.
Appeal not to lie except where express provision made; finality of orders made in appeal	„ s.156.

MUNICIPALITY—*contd.*

XII.—COORG—*concld.*

A.—MUNICIPALITIES PROPER—*concld.*

7. Supplemental—*contd.*

Appeal; suspension of action pending	Reg.2,1907,s.134.
Saving of Local Authorities Loan Act, 1879	,, s.160.
Vacancies and irregularities not to invalidate proceedings	,, ss.24,39, 146(5).

B.—SMALL TOWNS GOVERNED ON MUNICIPAL LINES.

Power to notify areas, impose taxation and regulate expenditure therein, appoint a Committee and extend Municipal Regulation with modifications	,, ss.163to166.

XIII.—MADRAS PRESIDENCY.

Transfer of canal or public ferry to Municipal Council	Mad.Act2,1890,s.11.

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS).

1. Preliminary.

Mad. Act 4, 1884, extends to whole of Madras Presidency except City of Madras	Mad.Act4,1884,s.1.
Mad. Act 2, 1907, to extend to Ootacamund, Coonoor, Kodaikanal and notified hill municipalities	Mad.Act2,1907,s.2.
Definitions	Mad.Act4,1884,ss.3,65(1), 147(5). Mad.Act2,1907,s.4.

2. Constitution and Government.

(*a*) CONSTITUTION OF MUNICIPALITIES.

Power to declare town, etc., to be a municipality	Mad.Act4,1884,ss.4,5.
,, alter limits of municipality	,, s.4A.
,, modify or cancel declaration under s. 4 and dissolve Municipal Council	,, s.4B(1).
,, divide municipality into wards	,, s.250(*a*).
Date from which Act to commence or cease to apply to any municipality or part	,, s.5.
Municipalities excluded from jurisdiction of Local Boards	Mad.Act5,1884,s.2.

(*b*) CONSTITUTION OF MUNICIPAL COUNCILS.

Constitution and incorporation of Municipal Council: number of Councillors	Mad.Act4,1884,ss.8,12(*i*), 21.
Nomination or election of Councillors; qualifications of Councillors; proportion of official and non-official, and elected and nominated, Councillors; rules for election, etc.; corrupt practices at elections; power of officers conducting election inquiries	,, ss.10to13, 250(*a*),(*b*), 250(2).
Revenue-officer in charge of district or division to be *ex officio* Councillor and to assume charge of office of Chairman in certain cases	,, s.9(am.in hillmunicipalities,Mad. Act2,1907, s.5(1)(*a*), s.15(1).

MUNICIPALITY—*contd.*

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Constitution and Government—*contd.*

(*b*) CONSTITUTION OF MUNICIPAL COUNCILS—*contd.*

Chairman and Vice-Chairman; election or nomination of; Vice-Chairman to act as Chairman in certain cases; delegation of powers by Chairman to Vice-Chairman	Mad. Act 4, 1884,	ss.14, 15, 16(*2*), 32(*3*).
Term of office; vacation of office; resignation or removal of Councillor, Chairman or Vice-Chairman; filling of casual vacancy	,,	ss.17 to 20.
Salary, payable to Chairman with sanction; no other Councillor to receive any	,,	s.16(*1*).
Elections, nominations, etc., to be notified in local Gazette	,,	s.21A.
Municipal Councillor; not personally liable on contract	,,	s.46.
,, ,, liability of, for loss, waste or misapplication of money or property	,,	s.259.
Suit against Municipal Council, Councillor or servant; notice of suit, limitation; tender of amends	,,	s.261(*1*), (*2*), (*3*).
Chairman; suit for acts done in good faith by, to be brought against Municipal Council and not against Chairman; exceptions		s.261(*4*).

(*c*) CONDUCT OF BUSINESS.

Office; meetings of Council	,,	ss.29, 38.
Who to preside at meetings	,,	s.30(*1*).
Quorum	,,	s.30(*5*).
Vote of majority decisive; Chairman or President has casting vote; interested Councillor not to vote	,,	s.30(*2*), (*3*).
Restriction on modification of resolution within three months	,,	s.30(*6*).
Certain officers entitled to attend and speak	,,	s.30(*4*).
Record, signature and publication of proceedings; proceedings to be kept open to inspection	,,	s.31.
Duties and responsibilities of Chairman as executive officer of the Council; delegation of powers by Chairman	,,	s.32.
Rules for interpellation of Chairman by Councillors	,,	s.250(*m*).
Chairman's powers to execute work on emergency	,,	s.32A.
Rules as to channel of correspondence with Government	,,	s.250(*h*).
Power to make rules as to conduct of business	,,	s.38.
Sub-committees; appointment and procedure of	,,	s.38(*v*).

(*d*) SERVANTS.

Number and salaries of servants to be fixed by Municipal Council with sanction of Local Government	,,	s.39.
Secretary; appointment, duties and powers of	,,	s.39A.
Chairman to appoint and pay servants, and may fine, suspend or dismiss them; power to appoint temporary servants on emergency	,,	s.42.
Municipal servants deemed "public servants" within meaning of Indian Penal Code	,,	s.41.
Power to make rules as to security to be furnished by, and grant of leave, pensions and gratuities to, and establishment of and contributions to Provident Fund	,,	s.43.

MUNICIPALITY—*contd.*

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Constitution and Government—*contd.*

(*d*) SERVANTS—*contd.*

Power to make rules as to appointment, fining, suspension, dismissal; pensions and gratuities of servants	Mad Act 4, 1884,	s.250(*c*),(*d*).
Power to make bye-laws for regulating conduct of servants	,,	s.255.
Conferring of police-powers on	,,	s.282(*4*).
Scavengers and other servants to give and receive notice previous to resignation or discharge	,,	s.282A.
Government servants employed by Municipal Council:		
Employment and payment of, by Municipal Council, and contributions towards their pension	,,	s.40(*1*),(*5*).
Contribution by Local Government towards pay of, when they do any work for Government	,,	s.40(*2*).
Dismissal and withdrawal of	,,	s.40(*3*),(*4*).

(*e*) GENERAL POWERS OF OFFICIAL CONTROL.

Collector; power of, to provide for execution of resolution of Municipal Council in default of Chairman; report to Local Government	,,	s.33.
,, general powers of control exerciseable by; power of Local Government to confer those powers on any public officer	,,	s.34.
Collector or Local Government:		
Power of, to suspend action of Municipal Council; report by Collector to Local Government	,,	s.35.
Local Government; power of, to provide for performance of duties in case of default of Municipal Council or Chairman	,,	s.37.
,, ,, power of, to supersede Municipal Council; consequences of supersession	,,	s.4B.
,, ,, power of, to frame forms and make rules	,,	s.250.
,, ,, annual report of proceedings to be furnished to	,,	s.252.
,, ,, power of, to appoint officers to inspect and superintend operations of Municipal Councils, also Secretaries, clerks and servants	,,	s.254.
Collector or Revenue-officer in charge of sub-division:		
Extraordinary power of, in case of emergency; report to Local Government	,,	s.36.
Schools, hospitals, dispensaries and other charitable institutions, and books, etc., relating thereto, to be open to inspection of Government officers	,,	s.253.
Rules as to Government officers advising and assisting Councillors	,,	s.250(*l*).
Collector, etc., acting under ss. 33, 36 or 37 to exercise powers of Municipal Council or Chairman; Municipal Council to pay all compensation	,,	s.254A(ins. Mad. Act 5, 1909, s.4.

MUNICIPALITY—*contd.*

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

3. Taxation.

Taxes which may be imposed	Mad.Act4,1884,s.47,Schs. A,B,D.
Amendment of s. 47 and Schs. B and D in hill municipalities	Mad.Act2,1907,s.5(*1*)(*b*), Sch.3.
Procedure for imposing taxes	Mad.Act4,1884,ss.48,50.
Local Government may direct levy of taxes unless Municipal Council show cause to contrary	,, s.49.
Compounding for taxes on vehicles, etc.	,, s.79.
,, ,, tolls	,, s.91(*2*).
Exemptions from taxes on buildings, lands, vehicles and animals :	
Buildings or lands belonging to Municipal Council, light-houses, piers, wharves, jetties, choultries, hospitals, dispensaries, buildings used for charitable or religious purposes and burial and burning grounds	,, s.63(*1*).
Unoccupied buildings	,, s.72.
Building or land less than six rupees in annual value, when it is the owner's sole property, liable to tax	,, s.63(*5*).
Vehicles and animals belonging to Government or the Municipal Council	,, ss.78,85(*4*).
Certain other vehicles and animals	,, s.78.
Exemptions from tolls :	
Government property, certain public officers and persons or property in their custody, and vehicles and animals licensed or registered by Municipal Council	,, s.91(*3*).
Exemption of men and property, etc., belonging to the Army. *See* MARCHING TROOPS.	
Power to exempt from taxation—	
Persons	,, s.51.
vehicle used solely for conveyance of children	,, s.77(*1*), proviso.
Power to exempt part of municipality from water-tax	,, s.75(*2*).
Taxes not invalid for defect of form	,, s.262.
Appeal against taxation ; limitation ; refund of tax	,, ss.97to101.
Assessment of taxes payable by Chairman	,, s.52A.
Assessment and recovery of taxes :	
Tax on arts, professions, trades and callings	,, ss.53to62.
Tax on buildings and lands	,, ss.63to73 (am. in hill municipalities, Mad. Act. 2,1907,s.5).
Water and drainage tax	,, ss.75,76(s.75 am. in hill municipalities, Mad. Act2,1907. s.5).

MUNICIPALITY—*contd.*

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

3. Taxation—*contd.*

Assessment and recovery of taxes—*contd.*

Tax on vehicles with springs, palanquins and animals	Mad.Act4,1884,ss.77to84, Sch.C(am.in hill municipalities,Mad. Act2,1907, s.5).
Tax on vehicles without springs	,, ss.85to90.
Tax on servants	,, ss.96Ato 96E(rep. in hill municipalities, Mad. Act2,1907, Sch.3.
Tolls	,, ss.91to96.
Assessment-books to be open to inspection	,, s.250A.
Collection of taxes generally	,, ss.102to111.
Receipt to be granted on payment of tax	,, s.52B.
Power to make bye-laws for collection of taxes	,, s.255.
Penalty for illegal collection of taxes	,, s.284.
Recovery of taxes by distress and sale	,, ss.89,90,95, 96,103to110, 269A,Schs. E,F,G.
Distraint not unlawful for want of form	,, s.262(*3*).
Registration of carts	,, ss.85to90.
Lists of persons and property liable to taxes to be kept and to be open to inspection	,, s.52.
Leasing of tolls	,, s.92.
Exhibition of table of tolls	,, s.92(*3*).
No suit for recovery of tax collected; if in substantial compliance with Act	,, s.262(*2*).
Tax-collectors deemed "public servants" within meaning of Indian Penal Code	,, s.41.
Levy of tax on servants and lighting-tax in hill municipalities	Mad.Act2,1907,ss.6to 10.

4. Municipal Fund and Property.

Municipal Fund; constitution of	Mad.Act4,1884,s.27.
,, ,, application of	,, ss.36,37,113, 250(*e*),254.
,, ,, liable for all contracts	,, s.46.
,, ,, contributions from, to other Local Authorities	,, s.114.
,, ,, contributions to, by Local Board	Mad.Act5,1884,s.118.
,, ,, authority on which money may be paid from	Mad.Act4,1884,s.28(*2*).
,, ,, custody and investment of	,, s.28(*1*).
,, ,, payment of compensation out of	,, s.278

MUNICIPALITY—*contd.*

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

4. Municipal Fund and Property—*contd.*

Municipal Fund; accounts; estimates; sanction to expenditure	Mad.Act4,1884,ss.250(*i*),(*j*),(*k*),251,252,253.
,, ,, account books to be open to inspection	,, s.250A.
Municipal property: what property vested in Municipal Council	,, ss.23,24.
,, ,, disposal or vesting of on dissolution or supersession of Municipal Council	,, s.4B(2),(3).
,, ,, power to construct and lease out building on vacant land being	,, s.177.
,, ,, power to transfer to Municipal Council management of charitable endowments under Mad. Reg. 7, 1817	,, s.26(2).
,, ,, power to transfer management of any institution to Municipal Council	,, s.115.
,, ,, conditions on transfer of, by sale, mortgage, lease, etc.	,, s.250(*g*).
,, ,, acquisition of land for Municipal Council	,, s.279.
,, ,, compensation payable for damage to	,, s.281.
Contract: procedure for entering into, and mode of executing	,, ss.44,45.
,, member of Municipal Council not personally liable on	,, s.46.
,, penalty on member or servant of Municipal Council being interested in, made with Council	,, s.260.
Suit against Municipal Council or officer thereof, etc.; notice and limitation of	,, s.261.
Liability of member of Municipal Council for loss, waste or misapplication of money or property	,, s.259.

5. Police.

Municipal Commissioners to pay to Government part of cost of	Mad.Act7,1878,ss.4,5.
Annual statements and estimate to be furnished by District Superintendent of Police to Municipal Commissioners of receipts and expenditure on account of	,, s.6.
Police to report offences and to assist Chairman and servants of Municipal Council	Mad.Act4,1884,s.282(*1*).
Arrest by police; detention of person arrested	,, s.282(2).
Penalty on police-officer not performing duty	,, s.282(3).

6. The Public Health, Safety and Convenience.

(*a*) STREETS, BRIDGES, ETC.
(*b*) BUILDINGS.
(*c*) DANGEROUS BUILDINGS, ETC.
(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.
(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.
(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.
(*g*) SCAVENGING.
(*h*) SLAUGHTER-PLACES.
(*i*) BATHING AND WASHING PLACES.
(*j*) WATER-SUPPLY.
(*k*) FOOD, DRINK AND DRUGS.
(*l*) MEDICAL RELIEF.
(*m*) VACCINATION.
(*n*) RESTRAINT OF INFECTION.
(*o*) DISPOSAL OF THE DEAD.
(*p*) OFFENSIVE AND DANGEROUS TRADES.
(*q*) PREVENTION OF FIRE.
(*r*) HACKNEY-CARRIAGES, ETC.
(*s*) ENTRY AND INSPECTION.
(*t*) REGISTRATION OF BIRTHS AND DEATHS.
(*u*) EDUCATION.
(*v*) MISCELLANEOUS.

MUNICIPALITY—*contd.*

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*a*) STREETS, BRIDGES, ETC.

Public streets, etc., vested in Municipal Council	Mad. Act 4, 1884,	s.23.
Municipal Fund applicable to construction, repair and maintenance of streets, bridges and other means of communication, and lighting and cleansing of streets	,,	s.113.
Municipal Council to repair and maintain public streets and bridges	,,	s.157(*1*).
Power to make and maintain footways in streets	,,	s.157(*2*).
Power to make new public streets, bridges and tunnels, and divert or improve street; compensation; acquisition of land for building-sites	,,	s.158.
Municipal Council to guard against accidents in constructing or repairing streets, and use light at night; penalty for extinguishing light, etc.	,,	s.172.
Making of new streets under license from Municipal Council	,,	s.161.
Paving, etc., of private streets	,,	s.162.
Conversion of private street into public street, by agreement with owner	,,	s.163.
Watering and lighting of streets	,,	s.175.
Cleansing of streets	,,	s.216.
Naming of streets; penalty for defacing, etc., name	,,	s.174.
Power to close street	,,	ss.158(*1*), 159.
Power to permit temporary erection in street	,,	s.170.
License to be obtained, and hoarding erected, before obstructing street or footway by repairing, etc., building; lighting of hoarding at night	,,	s.171.
Culverts over ditches at entrance of building, etc. Troughs and pipes for carrying water from building Repair of external walls of building or premises adjoining public thoroughfare	,,	s.166.
Encroachment on public street	,,	s.167.
Power to prohibit sale of articles in public street; penalty	,,	s.203.
Maintenance of fences for land adjoining roadway; trimming of hedges bordering on, or branches overhanging, street	,,	s.176.
Prohibition of depositing articles or making hole in street	,,	s.173.
Removal or debris of fallen buildings, etc., obstructing public street; cost of removal	,,	s.173A.
Penalty for depositing filth, rubbish, etc., in	,,	s.219(*i*).
Penalty for allowing offensive matter to flow, etc., into street	,,	s.222.
Prohibition of altering materials, fences or posts of public street	,,	s.160.
Power to make bye-laws for securing cleanliness, safety and order in streets	,,	s.255.

See also below, (*b*).

(*b*) BUILDINGS.

License for new building or well; powers of Municipal Council	,,	ss.180, 181 (rep. in hill municipalities, Mad. Act 2, 1907, Sch. 3).

MUNICIPALITY—*contd.*

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*b*) BUILDINGS—*contd.*

Regulation of use of inflammable materials in external roof, wall, etc.	Mad.Act4,1884,s.179.
" of line of building; compensation	" ss.164,165, 165A.
Removal of projection or encroachment from building; compensation	" s.168.
Permission to put up projecting verandah, etc.	" s.169.
Affixing to buildings brackets for wires or lamps	" s.178[am. in hill municipalities, Mad.Act2, 1907,s.5(*1*)(*e*)].
Numbering of buildings: penalty for defacing, etc., number	" s.182.
Unauthorised building over sewer or drain vested in Municipal Council or open ground covered, etc., by rubbish	" s.212.
Penalty for depositing filth, rubbish, etc., on verandah	" s.219(*i*).
Prevention of crowding of huts	" ss.181A, 181B (rep. in hill municipalities, Mad. Act2,1907, Sch.3].
Municipal Council may erect buildings on vacant land and lease same	" s.177.
Provisions for construction or reconstruction of building, hut or well in hill municipalities	Mad.Act2,1907,ss.11to 36,43,Schs. 1and2.

See also below, (*c*), (*d*).

(*c*) DANGEROUS BUILDINGS, ETC.

Power to stop construction of building or well if work dangerous to human life	Mad.Act4,1884,s.181(rep. in hill municipalities, Mad.Act2, 1907,Sch.3)
Fencing, etc., of ruinous or dangerous building, tree, etc.	" ss.183,185A.
Repair, protection or enclosure of dangerous building, well, tank, hole, etc.	" ss.185,185A.

(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.

Securing, enclosing, clearing or cleansing of untenanted building or land becoming a nuisance	" ss.184,185A.
Cleansing, etc., of building or land in filthy or unwholesome state or overgrown with noxious vegetation	" s.186(*1*).
Cleansing of filthy or unwholesome building	" s.186(*2*).
Powers for removal, etc., of block of buildings occasioning risk of disease; compensation for removal	" s.187.
Abatement of overcrowding of buildings; penalty	" s.226.

MUNICIPALITY—*contd.*

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

Rubbish, etc., collected under Act to vest in Municipal Council .	Mad.Act4,1884,s.24(*2*).
Places for deposit, and method of removal; penalty for deposit elsewhere	,, ss.216,219.
Provision of receptacles for temporary deposit, and keeping them in readiness for removal of contents; penalty . .	,, ss. 217,220.
Penalty for keeping offensive matter more than 24 hours or not in proper receptacle; power to require occupier to accept service by Municipal Council	,, s.221.
Penalty for using cart, etc., without cover or spilling offensive matter in course of removal, etc.	,, s.223.

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Drains, sewers, tunnels, etc., vested in Municipal Council . .	,, s.24(*1*).
Municipal Fund applicable to construction, etc., of drains and sewers	,, s.113.
Construction and maintenance of drainage-works to be under direction of Municipal Council; carrying drainage-works across private property; compensation	,, s.210.
Government undertaking construction of drainage-work; exercise of powers of Municipal Council or Chairman by officer appointed; payment of compensation	,, s.254A(ins. Mad.Act5, 1909,s.4).
Municipal Council to guard against accident in constructing or repairing drain, and to use light at night; penalty for extinguishing light, etc.	,, s.172.
Permission of Municipal Council required to interference with public sewer or drain	,, s.211.
Unauthorised building over sewer or drain vested in Municipal Council	,, s.212.
Penalty for putting earth, refuse, etc., into sewer or drain belonging to Municipal Council	,, s.224.
Power to require owner of building or land to construct drain when there is general system of drainage in municipality .	,, s.213A.
Permission of Municipal Council required to construction of drain, privy or cesspool	,, s.213.
Ventilation of drains, cesspools, etc.	,, s.213B.
Branch drains and private latrines, privies and cesspools to be under control of Municipal Council; cleansing, repairing or closing of private drain, latrine, privy or cesspool . . .	,, s.214.
Provision and maintenance of public latrines and urinals . .	,, s.206(*1*).
Licensing of latrines kept for public use	,, s.206(*2*).
Provision and maintenance of private latrines	,, s.207(*1*).
Private latrines to be shut out from view	,, s.207(*2*).
Provision and maintenance of latrines and urinals for workmen .	,, s.208.
Power of Chairman to construct drain, etc., for buildings, etc., under contract with owner	,, s 209.
Penalty for keeping offensive matter on premises for more than 24 hours or otherwise than in proper receptacle; power to require occupier to accept service by Municipal Council .	,, s.221.

See also below, (*k*), (*s*).

MUNICIPALITY—*contd.*

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*g*) SCAVENGING.

Power to supply scavenger under agreement with owner or occupier of building or land	Mad.Act4,1884,s.218.
Scavengers to give or receive notice before resignation or discharge; penalty for leaving without notice	,, s.282A.

(*h*) SLAUGHTER-PLACES.

Public slaughter-houses; power to permit slaughter elsewhere on occasion of festivals, etc.; penalty for slaughter at unauthorised place	,, ss.191,192.
Exception as to Government slaughter-houses	,, s.193.
Power to make bye-laws for management of slaughter-houses	,, s.255.

(*i*) BATHING AND WASHING PLACES.

Power to set apart public tanks, etc., for bathing or washing purposes	,, s.154.
Places for washing of articles exposed to infection; penalty	,, s.232(*1*),(*3*).
Penalty for fouling water of	,, s.155.

(*j*) WATER-SUPPLY.

Municipal Fund applicable to construction, etc., of water-works, tanks and wells	,, s.113.
Government undertaking construction of water-works; exercise of powers of Municipal Council or Chairman by officer appointed; payment of compensation	,, s.254A(ins. Mad.Act5, 1909,s.4).
Municipal Council to provide sufficient supply of water for domestic use	,, s.143(*1*).
,, ,, to have control of sources of public water-supply	,, s.143(*2*),(*3*).
Power to construct and provide channels, works, etc., for supply of water, and to maintain same; compensation	,, ss.144to146.
Supply of water on application of owner or occupier of building	,, s.147(sub. Mad.Act5, 1909,s.2).
Power to enter premises	,, s.148.
Power to cut off water for non-payment of water-tax or for waste or misuse of water	,, s.149A.
Penalty for waste or misuse of water	,, s.149(am. Mad.Act5, 1909,s.3).
,, ,, trespass on channel, land, etc.	,, s.150.
,, ,, unlawfully damaging channel, works, etc., or diverting water	,, s.151.
,, ,, fouling water by carrying on offensive trade or manufacture; power to examine pipes or works	,, ss.152,153.
,, ,, unlawful removal of earth, sand, etc., from deposit of matter on, encroachment on, or obstruction of, river, public water-course, etc.	,, s.229.

MUNICIPALITY—*contd.*

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*j*) WATER-SUPPLY—*contd.*

Power to set apart public tanks, etc., for drinking, bathing or other purposes; penalty for using such tanks, etc., for other purposes	Mad.Act4,1884,	ss.154,155.
Repair, cleansing or protection of private stream, etc., used for drinking purposes	,,	s.156(*1*).
Prohibition of use for drinking purposes of water of private well, etc., which is unfit for such use	,,	s.156(*2*).
License for construction or extension of well	,,	ss.180,181.
Power to prohibit use of water of infected well or tank	,,	s.232A.
Supply of water for private market	,,	ss.200, 201(*1*).
Cleansing, filling-up or draining of public wells, etc., injurious to health	,,	s.227.
Cleansing, fencing, etc., of private well or tank injurious to health or offensive; removal of stagnant water	,,	s.228.

(*k*) FOOD, DRINK AND DRUGS.

Municipal Fund applicable to construction, etc., of markets	,,	s.113.
Power to declare place to be a market	,,	s.193A.
Public market; power to provide and close; power to charge fees, etc.; power to expel person disobeying bye-law and determine his lease of shop, etc.	,,	s.194.
,, ,, penalty for selling in, without permission of Municipal Council	,,	s.195.
Private market for sale of food:		
Licensing of	,,	s.196.
Penalty for keeping open, or selling in, unlicensed market	,,	ss.197, 201(*1*).
Roofing and paving of; drains, cess-pits, latrines, urinals, and supply of water for; alterations in stalls, etc., of; penalty	,,	ss.200, 201(*1*).
Penalty for causing or not removing nuisance	,,	s.201(*2*).
Power to close unlicensed market	,,	s.202.
Markets; power to make bye-laws for management of	,,	s.255.
Power to enter and inspect place used for sale or storage of food or drink for man, and detain articles unfit for human consumption, and report to Magistrate; Magistrate's power to order destruction of article or its return to owner and payment of compensation	,,	s.204[am. in hill municipalities, Mad.Act2, 1907,s.5(*1*)(*f*)].
Expulsion from market of person suffering from infectious disease or creating disturbance	,,	s.205A.
Penalty for feeding animals kept for dairy purposes or for food on deleterious substances	,,	s.225A.
Provision in hill municipalities for sale of food, drink and drug; compulsory sale for analysis; procedure after analysis; licensing of sellers of milk, dairy produce and flesh	Mad.Act2,1907,	ss.37to42.

MUNICIPALITY—*contd.*

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*l*) MEDICAL RELIEF.

Municipal Fund applicable to construction, etc., of hospitals and dispensaries; and training and employment of medical practitioners	Mad. Act 4, 1884,	s.113(*ii*).
Municipal Council to provide and maintain one or more hospitals or dispensaries for the sick poor; exception	,,	s.125.
Municipal Council to provide equipments for such hospitals or dispensaries and to employ medical officer	,,	ss.126, 127(*2*).
Treatment of paying patients or of strangers in such hospitals or dispensaries	,,	ss.127,128.
Power to make rules as to grants-in-aid	,,	s.250(*f*).
Inspection of hospitals and dispensaries by Government officers	,,	s.253.

(*m*) VACCINATION.

Municipal Fund applicable to training and employment of vaccinators	,,	s.113(*ii*).
Municipal Council to provide for gratuitous vaccination	,,	s.129.
Licensing of vaccinators	,,	s.130.
No fee to be charged by public vaccinator	,,	s.131.
Certificate of successful vaccination, or insusceptibility thereto, to be given to parent or guardian	,,	ss.132,137 (*2*),(*4*).
Power to declare vaccination compulsory	,,	s.133.
Procedure for effecting vaccination; duties of parents or guardians, vaccinators and Chairman of Municipal Council	,,	ss.134to 139.
Penalty on parent or guardian disobeying order to have child vaccinated	,,	s.138(*3*).
Penalty for making false certificate, etc.	,,	ss.140,141
Prohibition of inoculation; entry of inoculated person into municipality; penalty	,,	s.142.
Inspection of vaccine-stations by Government officers	,,	s.253.

(*n*) RESTRAINT OF INFECTION.

Expulsion from market of person suffering from infectious disease	,,	s.205A.
Power to enter and inspect premises where epidemic, endemic or dangerous infectious disease suspected; disinfection of premises or articles	,,	s.231.
Penalty for selling, etc., infected articles	,,	s.231A.
Power to prohibit use of water of infected well or tank	,,	s.232A.
Places for washing of articles exposed to infection; penalty	,,	s.232(*1*),(*3*).
Destruction of articles exposed to infection; compensation	,,	s.232(*2*).
Power to order removal to hospital of person suffering from dangerous infectious disease	,,	s.233.
Penalty for letting insected house	,,	s.233C.
for travelling in public conveyance while suffering from dangerous infectious disease	,,	s.233A.

MUNICIPALITY—*contd.*

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*o*) DISPOSAL OF THE DEAD.

Provision of burial and burning grounds	Mad. Act 4, 1884,	s.234.
Registration or closing of burial or burning grounds existing at commencement of Act	,,	ss.235,237.
Licensing of new grounds	,,	ss.236,237.
Penalty for burying or burning corpse in unregistered or unlicensed place	,,	s.238.
Report of burials and burnings of corpses	,,	s.239.
Power to direct disuse of burial or burning ground; penalty	,,	s.240.
Licensing of grave-diggers and other attendants at public burial or burning ground	,,	s.242.
Directions as to depth of grave, distance between graves, re-opening of graves, and other matters relating to burial, and directions as to burning; penalty	,,	s.241.
Penalty for improperly carrying, etc., corpse	,,	s.241.
Power to make bye-laws for management of burial and burning grounds	,,	s.255.

(*p*) OFFENSIVE AND DANGEROUS TRADES.

Licensing of; appeal; penalty; exception as to places used by Government	,,	ss.188,189, 193.
Power to make byelaws for management of offensive trades	,,	s.255.

See also above, (*j*).

(*q*) PREVENTION OF FIRE.

Regulation of use of inflammable materials in external roof, wall, etc.	,,	s.179.
Licensing of gunpowder or firework manufactory, place for storing explosive or combustible materials, or place for sale or storage of wood, thatching materials, hay, grass, straw or coal; appeal; limitation of appeal; penalty	,,	ss.188,189.
Exception as to places used by Government	,,	s.193.

(*r*) HACKNEY-CARRIAGES, ETC.

Licensing of livery or hack-stables, horse-lines, veterinary infirmaries and cattle-sheds or yards; appeal; penalty	,,	ss.188,189.
Exception as to places used by Government	,,	s.193.
Carrying of persons suffering from dangerous infectious disease Owner or driver of public conveyance not bound to carry diseased person except on payment of sum sufficient to meet expenses of disinfecting, etc.	,,	ss.233A, 233B.

(*s*) ENTRY AND INSPECTION.

General power to enter building or land	,,	s.274(*1*).
Power to enter building or land to examine water-pipes, etc.	,,	s.148.
,, ,, lands adjacent to municipal works, for depositing materials, etc.; compensation; notice of entry	,,	s 275.

MUNICIPALITY—*contd.*

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*s*) ENTRY AND INSPECTION—*contd.*

Expense of inspection of drain, latrine, privy or cesspool, when to be borne by owner and when by Municipal Council	Mad.Act4,1884,	s.215.
Precautions to be observed in entering building occupied by woman	,,	s.274(2).

See also above (*k*), (*n*).

(*t*) REGISTRATION OF BIRTHS AND DEATHS.

Municipal Fund applicable to	,,	s.113.
Register to be kept and registrars appointed	,,	s.243.
Registrar to reside in his district, and to post his name; list of registrars to be published	,,	s.244.
Register-book to be printed	,,	s.245.
Registrar to inform himself of, and register, all births and deaths	,,	s.246.
Information of births and deaths by whom to be given	,,	ss.247,248, 248A.
Signing of register; extracts from register; custody, search and inspection of register	,,	s.249.

(*u*) EDUCATION.

Municipal Fund applicable to diffusion of	,,	s.113.
Municipal Council to provide for instruction of children in schools	,,	s.117.
Methods of providing instruction (maintaining schools, giving grants-in-aid to schools, etc.)	,,	s.118.
Local Government may direct Municipal Council to give grant-in-aid to school for children of particular class of inhabitants	,,	s.120.
Municipal Council may maintain or aid free primary schools	,,	s.119.
Local Government to prescribe standards of instruction	,,	ss.121, 250(*e*).
Fees to be levied in schools; power to exempt from payment	,,	ss.122, 250(*e*).
Municipal Council may provide for— inspection of schools; training of teachers; training persons for practice of medicine, vaccination or any technical or industrial calling, or; maintenance of public libraries, reading-rooms, gymnasia, etc.	,,	s.124.
Power to make rules as to grants-in-aid	,,	s.250(*f*).
Inspection of schools, etc., by Government officers	,,	s.253.

(*v*) MISCELLANEOUS.

Municipal Fund applicable to construction, etc., of lunatic asylums, poor-houses and choultries, sanitary inspection, and other measures of public utility	,,	s.113.
Licensing of public halting-places and cart-stands; appeal; penalty	,,	ss.188,189.
Power to provide places for cart-stands or public halting-places, and levy fees for use thereof	,,	s.190.

MUNICIPALITY—*contd.*

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

6. The Public Health, Safety and Convenience—*concld.*

(*v*) MISCELLANEOUS—*contd.*

Weights and measures ; power to examine and test	Mad.Act4,1884,s.295.
Penalty for keeping pigs so as to be a nuisance	,, s.230A.
,, for unlawful removal of sand, earth, etc., from public river, etc.	,, s.229.
,, for depositing offensive matter or rubbish on public quay, jetty, landing-place, or on bank of tank or water-course or on private property without consent of owner or occupier	,, s.219(*i*).
Power to prohibit cultivation, etc., within municipal limits, if injurious to health ; compensation	,, s.228A.
Stray dogs and pigs ; destruction of	,, s.230.
Power to make bye-laws as to conservancy and for securing good government and well-being of municipality	,, s.255.
Power to exempt municipality from ss. 117 to 249 or any of them	,, s.116.
Licensing of places of public resort or entertainment. *See* PLACES OF PUBLIC RESORT, ETC.	

7. Supplemental.

License to state period for which it is to be in force	,, s.267A.
Rules ; power to make	,, ss.38,43,250.
Bye-laws ; power to make	,, s.255(*1*) [s.255am. in hill municipalities,Mad. Act2,1907, s.5(*1*)(*g*)].
,, penalty for breach of	,, s.255(*1*),(*2*) [s.255am. in hill municipalities,Mad. Act2,1907, s.5(*1*)(*g*)].
,, confirmation of	,, s.255(*3*). [s.225am. in hill municipalities,Mad. Act2,1907, s.5(*1*)(*g*)].
Rules and bye-laws to be published in draft	,, s.256(*1*).
,, ,, not to have effect until three months after publication	,, s.256(*2*).
Act, rules and bye-laws to be kept at municipal office for sale	,, s.257.
Notices, etc.; service of	,, s.271.
,, when to be served on occupier	,, s.272.
Notice ; when not complied with, Municipal Council may perform act	,, s.264.
Penalty for not complying with notice	,, s.264(*1*).

MUNICIPALITY—*contd.*

XIV.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*concld*

7. Supplemental—*contd.*

Penalty for unlawfully doing act without license or permission or in contravention of terms thereof	Mad.Act4,1884,	s.263.
,, ,, breach of Act, order or notice	,,	s.264A.
Prosecution not to be started by private person	,,	s.280.
Notice to be put up when Municipal Council sets any place apart for purposes of Act or prohibits doing of act in any place	,,	s.276.
Penalty for defacing, etc., notice	,,	s.277(2
Publication of notifications, bye-laws, orders, notices, etc.	,,	ss.289, 289A.
Recovery of cost of work executed by Municipal Council in default of owner or occupier; power to require occupier to pay to Municipal Council rent due to owner	,,	ss.264,265.
,, moneys claimable by Municipal Council	,,	s.269.
Limitation of three years for distraint, suit or prosecution in respect of money due to Municipal Council	,,	s.269A.
Execution of work by occupier in default of owner; deduction of expenses from rent	,,	s.266.
As between owner and occupier, obligation imposed by Act rests primarily with owner	,,	s.272(2).
Deduction from rent of sums paid by occupier for owner	,,	ss.266, 272(3).
Procedure where occupier obstructs owner in execution of Act	,,	s.273.
Compensation payable out of Municipal Fund	,,	s.278.
,, ,, to Municipal Council for damaging its property	,,	s.281.
Surplus sale-proceeds if not claimed within six months to be forfeited to Municipal Council	,,	s.270.
Penalty for obstructing Municipal Council or any person in execution of Act, or removing mark	,,	s.277(1).
,, omitting to furnish information or for furnishing false information	,,	s.283.
,, illegal taking of money or seizure of property, etc.	,,	s.284.
Payments for unauthorized occupation of municipal land	,,	s.268.
Fees for licenses, registration, etc.	,,	s.267.
Fines, costs, etc.; recovery of	,,	286(1),(2).
,, application of	,,	s.286(3).
Delegation of Local Government's powers	,,	s.288.
Vacancies and irregularities not to invalidate proceedings	,,	ss.258,262.

XV.—CITY OF MADRAS.

1. Preliminary.

Definitions	Mad.Act3,1904,	s.3(am. Mad.Act4, 1907,s.3).

MUNICIPALITY—*contd.*

XV.—CITY OF MADRAS—*contd.*

2. Constitution and Government.

(*a*) The Municipal Area.

Power to declare area	Mad.Act3,1904,s.3(*6*).	
„ divide area	„	s.37,Sch.3.

(*b*) Municipal Authorities.

Respective functions of	„	s.15.
The Corporation :		
Constitution and incorporation of	„	s.4.
Election and appointment of Commissioners	„	s.5.
Qualification for election or appointment as Commissioner	„	s.33.
Disqualifications for	„	s.34.
Election of Commissioners and procedure thereat ; corrupt practices at election ; temporary appointment by Local Government on failure of election	„	31,38to53.
Distribution of Commissioners among divisions	„	s.38.
Qualification of voters	„	s.32.
Preparation, publication and revision of lists of persons qualified to be elected and to vote ; appeal to Presidency Magistrate	„	ss.46to52.
Term of office of Commissioners	„	s.56.
Office of Commissioner to cease on subsequent disqualification	„	ss.54,55.
Resignation of Commissioners	„	s.36.
Filling of casual vacancies	„	s.57.
President ; appointment, powers, responsibility, duties, salary and removal of ; to be *ex officio* a Commissioner ; delegation of power	„	ss.4(*1*),9to 11,20to 23.
„ leave of absence to ; leave-allowance ; appointment of substitute	„	s.60to62.
„ to submit reports	„	s.30.
„ to represent Corporation in respect of legal proceedings ; to admit compromise, withdraw claims, etc.	„	s.458.
General powers and duties of Corporation	„	s.16.
Standing Committee ; constitution of	„	s.8.
„ „ general powers and duties of ; appeal from President to	„	ss.17to19, 427
„ „ power of, to appoint sub-committees and make rules	„	ss.82,84.
Interested Commissioner not to vote	„	s.35.

(*c*) Officers and Servants.

Revenue-officer, Health Officer and Engineer :		
Appointment, salaries, leave-allowances, pension, duties and removal of	„	ss.12(am. Mad.Act4, 1907,s.2), 60to62.
Special Sanitary Officer :		
Power to appoint ; salary ; his powers of entry and inspection	„	ss.13,14.

MUNICIPALITY—*contd.*

XV.—CITY OF MADRAS—*contd.*

2. Constitution and Government—*contd.*

(*c*) OFFICERS AND SERVANTS—*contd.*

Other officers and servants :

Appointment, salary and removal of ; appeals from orders of suspension or dismissal . . . . . Mad.Act3,1904,ss.58,59.

Power to make bye-laws as to performance of duties by . . ,, s.409(*4*).

Leave of absence ; leave-allowances ; appointment of substitutes ,, ss.60to65.

Security, pensions and gratuities . . . . . ,, ss.64,65.

Municipal officers and servants deemed "public servants" . . ,, s.465.

Exercise of powers of police by . . . . . ,, s.464.

Scavengers, etc., to give and receive notice previous to resignation or discharge ; penalty ; leaving without notice . . ,, s.425.

(*d*) GENERAL POWERS OF OFFICIAL CONTROL.

Power of Local Government—

to provide for performance of duties in default of Commissioners and to direct raising of funds for the purpose . . ,, ss.24to27.

to call for statistics . . . . . ,, s.19.

to cancel bye-laws made by municipal authority . . . ,, s.419.

to determine in case of dispute, the respective functions of municipal authorities . . . . . ,, s.15(*2*).

Sanction of Government required in case of projects or contracts costing over one lakh of rupees . . . . . ,, ss.28,66 (*2*)(*c*).

(*e*) CONDUCT OF BUSINESS.

Municipal office for transaction of business . . . . . ,, s.79.

Corporation :

Time and place for holding meetings ; special meetings ; notice of meetings ; business to be transacted at meetings . ,, ss.72to76.

Who to preside at meetings . . . . . ,, s.78.

Quorum . . . . . ,, s.78(*4*).

Adjournment of meetings . . . . . ,, ss.78(*b*),79.

Vote of majority ordinarily decisive ; casting vote . . . ,, ss.77,78 (*2*),(*3*).

Record and signature of proceedings ; proceedings to be kept open to inspection . . . . . ,, s.80.

Special Committees ; appointment of . . . . . ,, s.81.

Power to make bye-laws for regulation of conduct of business at meetings of . . . . . ,, s.409(*1*).

Standing Committee :

Time and place for holding meetings : special meetings ; who to preside at meetings ; quorum ; decision to be by majority of votes ; rules for proceedings. . . . . ,, ss.83to85.

Vacation of office of member failing to attend four consecutive meetings . . . . . ,, s.83(*8*).

Sub-Committees of . . . . . ,, s.82.

Records, etc., of Corporation to be open to Commissioners . . ,, s.71.

MUNICIPALITY—*contd.*

XV.—CITY OF MADRAS—*contd.*

3. Taxation, and Payments for Occupation of Land.

Taxes which may be imposed	Mad. Act 3, 1904,	ss.115,116.
Power of Local Government to direct levy or increase of taxes to provide for performance of duties in default of Commissioners	,,	s.26(*1*)(*c*).
Lists of persons and property liable to taxes	,,	ss.118,119.
Tax on arts, professions, callings, offices and appointments; assessment, payment and recovery of	,,	ss.120 to 128, Sch.5.
Tax on buildings and lands:		
Assessment and payment of	,,	ss.129 to 144.
Remission of tax for period during which building remains unoccupied	,,	s.142.
Water and drainage tax:		
Assessment, payment and recovery of	,,	ss.145 to 147.
Application of	,,	s.147.
Lighting-tax:		
Assessment and payment of	,,	ss.148,149.
Separate account to be kept for	,,	s.148(*3*).
Tax on vehicles and animals:		
Assessment, payment and recovery of	,,	ss.150 to 157, Sch.6, s.423 (*2*),(*3*),(*4*).
Power to compound for	,,	s.152.
Licenses; penalty for omitting to take out	,,	ss.156,423.
Registration of vehicles	,,	s.150(*3*).
Tax on carts and vehicles without springs:		
Registration of carts, etc.; tax on registration; remission of tax; exemptions; recovery of tax; seizure and sale of unregistered carts; penalties	,,	ss.158 to 163.
Tolls on vehicles and animals entering municipal limits:		
Collection and leasing of	,,	ss.164 to 171, Sch. 5.
Power to compound for	,,	s.169.
Penalty for unlawful collection of tolls	,,	s.170.
Payments for occupation of municipal lands:		
Power to demand; recovery of	,,	s.408.
Disposal of complaints, objections, applications for revision, and appeals; limitation; reference to High Court	,,	ss.172 to 177.
When amount of tax altered, increased amount to be levied or refund made	,,	s.177.
Collection of taxes generally; distress and sale; suits; prosecutions; service of bills, notices, etc.; bye-laws	,,	ss.178 to 190, 409(*5*).
Recovery of tax from occupier; right of occupier to deduct from rent tax paid on account of owner	,,	s.187.
Assessment, etc., not invalid for defect of form	,,	s.191.
Contractors and agents for collection of taxes or of payments on account of municipal lands deemed "public servants"	,,	s.465.
Exemption from taxes:		
Power of Commissioners to exempt persons unable to pay	,,	s.117.

MUNICIPALITY—*contd.*

XV.—CITY OF MADRAS—*contd.*

3. Taxation, and Payments for Occupation of Land—*contd.*

Exemption from taxes—*contd.*

Light-houses, public piers, wharves, jetties, etc., places of public worship, hospitals, and burial and burning grounds, exempted from tax on buildings and lands and water-tax . . . Mad. Act 3, 1904, s. 129.

Buildings and lands less than Rs. 14 in value, exempted from tax on buildings and lands, water and drainage tax and lighting-tax . . . ,, ss. 129(*f*), 145(2), 148(2).

Power of Local Government to exempt any area from water-tax or lighting-tax . . . ,, ss. 145, 148.

Property of Madras Port Trustees exempted from assessment of any rate or tax . . . Mad. Act 2, 1905, s. 34.

Tax on vehicles and animals:

Power to exempt vehicle used solely for conveyance of children . . . Mad. Act 3, 1904, s. 150, (last proviso).

Certain vehicles and animals exempted . . . ,, s. 151.

Tax on carts:

Certain carts exempted . . . ,, ss. 158(*1*), 159.

Toll on vehicles and animals entering municipal limits:

Certain property exempted . . . ,, s. 168.

4. Municipal Fund and Property.

Municipal Fund; constitution of . . . ,, s. 87.

,, ,, custody and investment of . . . ,, s. 90(*1*).

,, ,, authority for payments from . . . ,, s. 90.

,, ,, application of . . . ,, ss. 41, 87(2), Sch. 4, ss. 88, 89, 98, 114, 457(6).

,, ,, budgets . . . ,, ss. 91 to 98.

,, ,, audit of accounts . . . ,, ss. 110 to 114.

,, ,, power of Local Government to direct raising of loans . . . ,, s. 27.

,, ,, borrowing powers; form and effect of debentures; debentures transferable by endorsement; sinking fund; payment of interest on debt: consolidation of loans . . . ,, ss. 99 to 108.

,, ,, attachment of, for recovery of money borrowed from Government; effect of attachment . . . ,, s. 109.

,, ,, bye-laws as to form of estimates, budgets, returns, accounts, etc. . . . ,, s. 409(2), (3).

Municipal property; what property vested in Commissioners . . . ,, ss. 7, 201, 209, 228.

,, ,, rubbish and offensive matter collected under orders of President to be property of Commissioners . . . ,, s. 297.

,, ,, acquisition of land or building for Commissioners . . . ,, ss. 232, 338, 406, 407.

,, ,, power to sell or lease land . . . ,, s. 406(2), (3).

MUNICIPALITY—*contd.*

XV.—CITY OF MADRAS—*contd.*

4. Municipal Fund and Property—*contd.*

Contract; power to enter into	Mad.Act3,1904,s.66.
procedure for entering into, and mode of executing; sealing; specifications in; sanction or approval of Local Government, Corporation or Standing Committee when required to execution; variation and discharge of; tenders; security for performance of	,, ss.66to69.
,, penalty on Commissioner, President, officer or servant being interested in, made with Corporation	,, ss.54,55, 422.
Suit against Commissioners, etc.; notice of suit; limitation; tender of amends	,, s.457.
President; to represent Corporation in respect of legal proceedings; power of, to admit, compromise or withdraw claim, etc.	,, s.458.

5. Police.

Municipal Commissioners to pay to Government part of cost of	Mad.Act7,1878,ss.3,5.
Annual statement and estimate to be furnished by Commissioner of Police to Municipal Commissioners of receipts and expenditure on account of	,, s.6.
Police-officers to report offences and assist Commissioners and their officers	Mad.Act3,1904,s.462.
,, power of, to arrest offenders; detention of offender	,, s.463.

6. The Public Health, Safety and Convenience.

(*a*) Streets and Public Places.
(*b*) Buildings.
(*c*) Dangerous Buildings, etc.
(*d*) Buildings and Grounds in Insanitary Condition, etc.
(*e*) Deposit and Removal of Rubbish and Offensive Matter.
(*f*) Drains, Latrines and other Receptacles for Filth.
(*g*) Slaughter-places, etc.
(*h*) Bathing and Washing Places.
(*i*) Water-supply.
(*j*) Food, Drink and Medicine.
(*k*) Vaccinations.
(*l*) Restraint of Infection.
(*m*) Disposal of the Dead.
(*n*) Offensive and Dangerous Trades.
(*o*) Prevention and Extinction of Fire.
(*p*) Hackney-carriages, Hack-stables, Horse-lines, Cart-stands, Cattle-yards, etc.
(*q*) Entry and Inspection.
(*r*) Taking of Census and Registration of Births and Deaths.
(*s*) Miscellaneous.

(*a*) Streets and Public Places.

Municipal Fund applicable to—	
lighting of public streets, places and buildings	Mad.Act3,1904,s.87, Sch.4.
regulation of traffic	
prevention and removal of obstructions in public streets or places	
cleansing and watering of streets	
construction, etc., of streets, bridges, etc.	
naming of streets	
removal of undue projections	
planting of trees in public streets and places	

MUNICIPALITY—*contd.*

XV.—CITY OF MADRAS—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*a*) STREETS AND PUBLIC PLACES—*contd.*

Public street, etc., vested in Corporation	Mad. Act 3, 1904	s.228.
Rights, powers and duties of Commissioners in respect of public streets; acquisition and disposal of land and of building-sites adjoining streets	,,	ss.229 to 232, 237.
Power to close streets	,,	ss.230, 231, 240.
Private street, making of, under license	,,	ss.242 to 245.
,, ,, conversion of, into public street	,,	s.246.
Public street; alteration of buildings to improve line of; compensation	,,	ss.233 to 236.
,, ,, troughs and pipes for carrying water from building	,,	s.221.
,, ,, culverts over ditches, etc., at entrance of building adjoining	,,	s.217.
,, ,, lighting of; prohibition against removing or damaging lamps, etc.	,,	ss.290, 291, 409(*8*).
,, ,, watering of	,,	s.238.
,, ,, naming of; penalty for defacing, etc., name	,,	s.254.
Cleansing of streets	,,	s.296(*a*).
Speedy restoration of street after repairs, etc.; fencing, guarding and lighting	,,	ss.240, 250.
License to be obtained and hoards to be set up, etc., when repairing building in or near street	,,	s.253.
Precautions to be taken by President against accidents in repairing street, etc.; penalty for extinguishing light, etc.	,,	ss.250, 251.
Penalty for injuring, altering, etc., pavement or other materials of street	,,	s.241.
Penalty for allowing sewage to flow into street	,,	s.300(*6*).
Trimming of trees overhanging public street	,,	s.239.
Power to prohibit sales in public street	,,	s.351.
Prohibition and powers with respect to obstructions in, encroachments on, or projections over, public street, etc., from building, etc.; compensation	,,	ss.247 to 249.
Power to permit temporary erection in street on occasion of festival or ceremony	,,	s.249(*b*).
Causing obstruction, or making holes in street	,,	s.252.
Power to make bye-laws for laying out of streets	,,	s.409(*7*).

See also below, (*b*).

(*b*) BUILDINGS.

Municipal Fund applicable to regulation of buildings, numbering of houses and construction, etc., of buildings for purposes of Act	,,	s.87, Sch. 4.
Buildings and lands on the esplanade; provisions as to	,,	ss.470 to 473.
Power to require building, etc., to be fenced	,,	s.239(*1*)(*a*).
Permission to put up projecting verandahs, etc.	,,	s.249(*a*).
Regulation of line of buildings; compensation	,,	ss.233 to 236.

MUNICIPALITY—*contd.*

XV.—CITY OF MADRAS—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*b*) BUILDINGS—*contd.*

No building to be constructed or re-constructed except in accordance with building regulations	Mad.Act3,1904,	s.260,Schs. 11,12.
Power to regulate future construction of certain classes of buildings in particular streets or localities	,,	s.261.
Power to affix brackets for wires or lamps	,,	s.289.
Unlawful building over public drain, or on ground covered, etc., by rubbish	,,	s.216.
Roof, wall, etc., not to be made of inflammable material without permission of President	,,	s.262.
Construction or restoration of building; sanction to be obtained for site; plans; powers of President; appeal; penalty	,,	ss.264to275, 278to284, 424,Schs.11, 12.
Doors, etc., not to open out on public street	,,	s.263.
Power as to demolition, alteration, etc., of building unlawfully commenced, carried on or completed; penalty	,,	ss.287, 424(*c*).
Alterations or additions to building; application of Act to; penalty	,,	ss.286, 424(*c*).
Penalty for unlawful building	,,	s.424.
External walls adjoining public street to be kept in repair	,,	s.285.
Exemption of certain buildings from certain provisions	,,	s.288.
Numbering of buildings; penalty for defacing, etc., number	,,	s.255.
Power to make bye-laws as to regulation of	,,	s.409(7).
Lighting of public buildings: prohibition against removing or damaging lamps, etc.	,,	ss.290,296.

See also above, (a), and below, (c), (d).

(*c*) DANGEROUS BUILDINGS, ETC.

Municipal Fund applicable to control, supervision and removal of dangerous places, buildings, etc.	,,	s.87,Sch.4.
Power to stop construction of building or well dangerous to human life	,,	ss.276,277.
Fencing and removal, securing or repair of ruinous or dangerous building, tree, etc; appeal	,,	ss.256to258, 427(*1*)(*a*).
Filling up, repair, protection or enclosure of dangerous tank, well, hole, etc.	,,	s.259.

(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.

Municipal Fund applicable to reclamation of unhealthy localities, removal of excessive or noxious vegetation, and regulation and control of unhealthy buildings and localities	,,	s.87,Sch.4.
Securing, enclosing, cleaning or cleansing of building or land untenanted or a nuisance	,,	s.305.
Cleansing, etc., of building or land in filthy or unwholesome state or overgrown with noxious vegetation	,,	ss.306,307.
Power with reference to building or block of buildings occasioning risk of disease; compensation; appeal	,,	ss.308, 427(*1*)(*a*).
Power to prohibit use as human habitation of building unfit for that purpose	,,	s.309.

MUNICIPALITY—*contd.*

XV.—CITY OF MADRAS—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION—*contd.*

Abatement of overcrowding in building	Mad. Act 3, 1904	s.310.
Filling-up, draining, fencing, etc., of wells, receptacles of stagnant water, etc.	,,	ss.301 to 304, 427(*1*)(*a*).
Maintenance of fences and trimming of hedges or trees	,,	s.239.

(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

Municipal Fund applicable to maintenance, etc., of sewage farms and tramways and other works for removal of sewage, and to scavenging	,,	s.87, Sch.4.
Rubbish and offensive matter deposited as provided, to vest in Corporation	,,	s.297.
Places for deposit and method of removal; prohibition against deposit elsewhere	,,	ss.293, 294, 296(*b*), 300(2).
Provision of receptacles for temporary deposit, and removal	,,	s.292, 296(*b*).
Prohibition against keeping offensive matter, etc., on premises more than 24 hours or not in proper receptacle	,,	s.300.
Power to provide for removal of sewage, etc., by contract with occupier of building or land	,,	s.295.
Maintenance of establishment for removal of sewage from latrines and urinals not connected with drain	,,	s.299.
Removal of carcasses of dead animals	,,	s.317.

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Municipal Fund applicable to construction, etc., of latrines, privies, urinals, drains, sewers and drainage-works	,,	s.87, Sch.4.
Rights, powers and duties of Commissioners in respect of drainage system; carrying drainage work across private property; compensation	,,	ss.202, 203, 208, 210 to 213.
Public drains, drainage-works, etc., vested in Corporation	,,	s.209.
Prohibition of building over public drain without permission; appeal	,,	ss.216, 427(*1*)(*b*).
Power to require construction of culverts over ditches, etc.	,,	s.217.
Powers exerciseable outside municipality in respect of making connecting drains, etc.	,,	ss.202, 203, 211.
Drainage of private premises; right of owner or occupier to empty his house drain into municipal drain; power to require owner to construct house drain and to allow drains of other buildings to be connected with it; draining of buildings by combined operation; appeal from President's action under ss. 214, 218	,,	ss.214, 215, 218 to 220, 427.
Cesspools, latrines, privies and urinals for private premises; latrines to be screened from view; appeal	,,	s.224, 427(*1*)(*a*).
Latrines and urinals for workmen, markets, cart-stands and cattle-stands; appeal	,,	ss.225, 226, 427(*1*)(*a*).
House drains, private latrines, etc., to be under municipal control	,,	s.227.
Repair, cleansing, etc., of private latrine	,,	s.300(*5*).
Penalty for throwing refuse, etc., into drain	,,	s.300(*b*).

MUNICIPALITY—*contd.*

XV.—CITY OF MADRAS—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH—*contd.*

Provision and maintenance of latrines and urinals for public use	Mad. Act 3, 1904,	s.222.
Licensing of latrines and urinals for public use	,,	s.223.
Bye-laws as to drains, etc.	,,	s.409(*9*) to (*12*).

(*g*) SLAUGHTER-PLACES, ETC.

Municipal Fund applicable to construction, etc., of public slaughter-houses	,,	87, Sch. 4.
Corporation to provide slaughter-houses, and may charge rents and fees for use thereof	,,	s.331.
Licensing of slaughter-houses and places for selling or storing meat; power to allow slaughtering at any place on occasion of festival, etc.; appeal	,,	ss.332,333, 427.
Licensing of slaughter; fees; power to allow slaughter for religious ceremony	,,	ss.334,335.
Licensing of butchers	,,	s.350.
Power of entry and inspection	,,	s.352.
,, to make bye-laws for control, etc., of butchers, slaughter-houses, and places used for keeping, etc., meat	,,	s.409(*14*).

(*h*) BATHING AND WASHING PLACES.

Provision of; penalty for fouling water of	,,	s.318.
Provision of public wash-houses; prohibition against washing clothes by washermen at unauthorized places	,,	ss.329,330.
Power to make bye-laws as to	,,	s.409(*6*).

(*i*) WATER-SUPPLY.

Municipal Fund applicable to construction, etc., of water-works, drinking fountains, tanks and wells	,,	s.87, Sch. 4.
Provision of, by Corporation; construction of works, etc.	,,	ss.192 to 194, 197,200,202, 203.
Public tanks, water-works, etc., vested in Corporation	,,	s.201.
Powers exercisable outside municipality in respect of	,,	ss.202,203.
Power to cut off supply for non-payment of water and drainage tax or misuse or waste of water	,,	s.196.
Notice to be given if water wasted	,,	s.195.
Power to make bye-laws for measurement of water supplied for domestic purposes, etc.	,,	s.409(*6*).
Trespass on premises connected with	,,	ss.198,199.
Penalty for damaging works, diverting water, etc.	,,	ss.206,207.
Fouling of water by carrying on offensive trade; entry of premises and examination of pipes, etc.	,,	ss.320,321, Sch. 2.
Prohibition against fouling drinking water	,,	s.319.
Control over private tanks, etc., used for drinking purposes; appeal	,,	ss.301 to 303, 427(*1*)(*a*).
Laying of water-pipes; notice; compensation; appeal	,,	ss.204,205, 427(*1*)(*a*).

MUNICIPALITY—*contd.*

XV.—CITY OF MADRAS—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*i*) WATER-SUPPLY—*contd.*

Construction or restoration of well; powers of President	MadAct3,1904,	ss.264to 266,273to277.
Cleansing, filling up or draining of public wells, etc., injurious to health	,,	s.304.
Powers to make bye-laws as to use of public tanks, etc.	,,	s.409(*6*).

(*j*) FOOD, DRINK AND MEDICINE.

Licensing of bake-houses and manufactories of ice or aërated water; appeal	,,	ss.328, 427(*1*)(*c*).
Public market; definition	,,	s.336.
,, ,, Municipal Fund applicable to construction, etc., of	,,	s.87,Sch.4.
,, ,, power to provide markets and charge rents, fees, etc.	,,	s.337.
,, ,, acquisition or appropriation of land for building of shops, etc.; roads and approaches; power to make bye-laws	,,	ss.338,339, 349,409.
,, ,, expulsion of person disobeying bye-law	,,	s.340.
,, ,, power to sell, let or close	,,	s.341.
,, ,, penalty for selling in, without license	,,	s.342.
,, ,, lighting of; prohibition against removing or damaging lamps, etc.	,,	ss.290,291.
Private market not to be opened without sanction; penalties	,,	s.343.
,, ,, licensing of; prohibition against opening, keeping open or selling in unlicensed private market; appeal	,,	ss.344to346, 348,427.
,, ,, power to require construction of approaches, passages, latrines, drains, etc., for, and roofing, paving, ventilation, water-supply and proper cleansing, etc., of; suspension or refusal of license on default	,,	ss.347,348.
Latrines and urinals for market	,,	s.226.
Power to make market regulations	,,	s.349.
Licensing of butchers	,,	s.350.
Power to enter and inspect place used for unauthorised slaughter of animal or sale of flesh; no compensation for damage or use of force	,,	s.352.
President to provide for constant and vigilant inspection of articles of human food; seizure and disposal of diseased or unwholesome animals and articles and vessels, etc., used for preparing, etc., such articles	,,	ss.353to356.
Prohibition against sale of articles of food or drugs not of the nature demanded or not properly compounded, etc.	,,	ss.357to359.
Compulsory sale of articles of food or drugs for purposes of analysis; procedure	,,	ss.360,361.
Power to make bye-laws for inspection, management, etc., of markets, shops, etc.	,,	s.409(*15*) to(*19*).

MUNICIPALITY—*contd.*

XV.—CITY OF MADRAS—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*j*) FOOD, DRINK AND MEDICINE—*contd.*

Power to make bye-laws for inspection of milch cattle and regulation of dairies, securing cleanliness of milk stores, milk shops and milk-vessels, protecting milch cattle and milk against infection or contamination	Mad Act 3,1904,	s.409(*21*). (*22*),(*23*).
See also above, (*g*).		

(*k*) VACCINATION.

Municipal Fund applicable to vaccination and to training and supervision of vaccinators	,,	s.87,Sch.4.
Power to declare vaccination compulsory; no penalty for non-vaccination if person has had small-pox	,,	s.374.
,, make bye-laws	,,	s.409(*26*).

(*l*) RESTRAINT OF INFECTION.

Power to appoint Special Sanitary Officer; his salary and powers of entry and inspection	,,	ss.13,14.
Construction, maintenance and contribution towards maintenance of hospitals for treatment of infectious disease in the city	,,	s.362.
Medical practitioners to report cases of epidemic, endemic or dangerous infectious disease	,,	s.363.
Power to enter dwelling-place to prevent spread of disease	,,	s.364.
,, provide and maintain carriages for free conveyance of patients	,,	s.365.
Removal of patients to hospital	,,	s.366.
Cleansing or disinfection of building or articles	,,	s.367.
Provision of places for disinfection or washing of clothing, etc.; disinfection free of charge; destruction of articles; compensation	,,	s.368.
Prohibition against transmission, etc., of infected article without previous disinfection	,,	s.369.
Carriage of infected persons in public conveyance; disinfection of conveyance	,,	ss.370to372.
Prohibition against letting infected house or room	,,	s.373.
Power to make bye-laws	,,	s.409(*24*).

(*m*) DISPOSAL OF THE DEAD.

Burial and burning grounds:		
Municipal Fund applicable to regulation, etc., of	,,	s.87,Sch.4.
Registration of	,,	ss.385,386.
Licensing of	,,	ss.387,388.
Closing of	,,	ss.386,392.
Prohibition against using unregistered, unlicensed or closed ground	,,	s.389.
Provision of, by Commissioners; application of Act to grounds provided outside municipality	,,	ss.395,396.
Report of burials and cremations	,,	s.390.
Licensing of grave-diggers and other attendants	,,	s.394.

MUNICIPALITY—*contd.*

XV—CITY OF MADRAS—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*m*) DISPOSAL OF THE DEAD—*contd.*

Burial in place of public worship	Mad. Act 3, 1904,	s.391.
Prohibition against burial or burning contrary to Act	,,	s.393.
Power to make bye-laws	,,	s.409(*27*).

(*n*) OFFENSIVE AND DANGEROUS TRADES.

Municipal Fund applicable to control, supervision, etc., of dangerous trades, and regulation and control of offensive trades	,,	s.87, Sch.4.
Licensing of places for carrying on; appeal; entry and inspection	,,	ss.322,323, 409(*13*),427 (*1*)(*c*).
Smoke-producing or dangerous machinery or steam-boiler not to be erected without sanction of President; height and dimensions of chimneys connected with steam-boilers; appeal	,,	ss.324,427 (*1*)(*b*).
License for importation of timber or firewood; refund of part of license-fee on re-export; appeal	,,	ss.327,427 (*1*)(*a*).
Fouling of water by carrying on offensive trade; entry of premises and examination of pipes, etc.; expenses	,,	ss.320,321, Sch.2.
Power to make bye-laws for inspection, management, etc., of places used for carrying on	,,	s.409(*13*).

(*o*) PREVENTION AND EXTINCTION OF FIRE.

Roof, wall, etc., not to be made of inflammable materials without permission of President	,,	s.262.
Licensing of gunpowder or firework manufactories and places to be used for any dangerous or offensive trade, etc.,; entry and inspection	,,	ss.322,323, 409(*13*).
Licensing of places for storage of wood, firewood, straw, coal or other combustible materials; appeal; directions for prevention of fire; exceptions in favour of Government	,,	325to327, 427(*1*)(*c*).
Municipal Fund applicable to extinction of fires	,,	s.87, Sch.4.
Expenses incurred by police for extinction of fire to be paid by Municipal Commissioners	Mad. Act 3, 1888,	s.62.

(*p*) HACKNEY-CARRIAGES, HACK-STABLES, HORSE-LINES, CART-STANDS, CATTLE-YARDS, ETC.

Licensing of livery or hack stables, horse-lines, veterinary infirmaries, cart-stands, cattle-sheds, cattle-yards, etc.; appeal	Mad. Act 3, 1904,	ss.314,315, 427.
Latrines and urinals for such places	,,	s.226.
Power to make bye-laws for inspection, management, etc., of such places	,,	s.409(20),(*21*).
Power to direct discontinuance of use of stable, cattle-shed, etc., as such; appeal	,,	ss.316,427 (*1*)(*a*).
Carriage of persons suffering from dangerous disease	,,	ss.370to372.
Owner or driver of public conveyance not bound to carry diseased person except on payment of sum sufficient to meet expenses of disinfection, etc.	,,	s.371.

MUNICIPALITY—*contd.*

XV.—CITY OF MADRAS—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*q*) ENTRY AND INSPECTION.

Entry and inspection of—
building for purposes of valuation . . . . . Mad. Act 3, 1904, s. 132(*3*).
building under construction or re-construction . . . . ,, s. 274.
place where dangerous disease is suspected to exist . . . ,, s. 364.
places for carrying on offensive or dangerous trade . . ,, s. 321.
places used without authority for slaughter or for sale of meat . ,, s. 352.
Power to make bye-laws for inspection of markets, shops, etc., and places used for carrying on offensive or dangerous trades, etc. . . . . ,, s. 409(*13*),(*15*).
Power to enter building or land to make survey or inspection or to execute work . . . . . ,, s. 440.
Notice of entry when to be given . . . . . ,, s. 440.
Power to enter lands adjacent to works; compensation; notice of entry; appeal . . . . . ,, s. 441.
Precautions to be observed in entering building occupied by woman . . . . . ,, s. 440.
See also above, (*b*), (*i*), (*j*), (*l*).

(*r*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS AND DEATHS.

Municipal Fund applicable to . . . . . ,, s. 87, Sch. 4.
Power to make bye-laws as to . . . . . ,, s. 409(*28*),(*29*).
Taking of census:
Enumeration to be made; procedure . . . . . ,, ss. 397 to 403.
Registration of births and deaths:
Register to be kept and registrars appointed . . . . . ,, s. 375.
Registrar to reside in his district, and to post his name; list of registrars to be published . . . . . ,, s. 376.
Register-books to be printed . . . . . ,, s. 377, Sch. 13, 14, 15.
Registrar to inform himself of, and register, all births and deaths . . . . . ,, s. 378.
Information of births and deaths by whom to be given . . ,, ss. 379 to 383.
Signing of register; extracts from register . . . . . ,, s. 384.

(*s*) MISCELLANEOUS.

Municipal Fund applicable to—
construction, repair and maintenance of hospitals and dispensaries . . . . . ,, ss. 87, 88, 89, Sch. 4.
training of medical practitioners and subordinates . . . . . ,, ss. 87, 88, 89, Sch. 4.
construction, etc., of parks and gardens . . . . . ,, ss. 87, 88, 89, Sch. 4.
sanitary measures . . . . . ,, ss. 87, 88, 89, Sch. 4.
construction and repair of school-houses for, and elementary instruction of, the poor, and training of teachers . . ,, ss. 87, 88, 89, Sch. 4.
survey of houses and lands . . . . . ,, ss. 87, 88, 89, Sch. 4.
contributions towards public ceremonies or entertainments . ,, ss. 87, 88, 89, Sch. 4.
contributions to Municipal Councils or Local Boards . . ,, ss. 87, 88, 89, Sch. 4.
all matters necessary for, or conductive to, public health, safety and convenience . . . . . ,, ss. 87, 88, 89, Sch. 4.

MUNICIPALITY—*contd.*

XV.—CITY OF MADRAS—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*s*) MISCELLANEOUS—*contd.*

Fishing ; power to prohibit . . . . . Mad.Act3,1904,s.311.
Penalty for removing earth, etc., from, depositing matter on, or making encroachment on, river, canal, etc. . . . . ,, s.469.
Pigs ; penalty for keeping them so as to create a nuisance ; entry and inspection . . . . . ,, s.312.
,, straying ; destruction of . . . . . ,, s.313.
Penalty for feeding animal with filth . . . . . ,, s.312(*c*).
Weights, scales and measures ; provision of standards, and prevention of use of false weights, etc. . . . . ,, s.409(*77*).
Nuisance ; prosecutions and actions under other laws not affected ,, s.461.
,, Municipal Fund applicable to abatement of . . ,, s.87,Sch.4.
Railways ; power to construct, work and lease, within or without City of Madras . . . . . ,, ss.404,405.
,, conducting drainage work across ; altering level of . ,, s.210.
Bye-laws to provide for lighting of City . . . . . ,, s.409(*8*).
,, for regulation of lodging-houses . . . . . ,, s.409(*25*).

7. Supplemental.

Rules ; power to make . . . . . ,, ss.64,84, 413,414.
Bye-laws ; power to make . . . . . ,, s.409.
,, penalty for breach of . . . . . ,, s 410.
,, publication of, in draft . . . . . ,, s 412.
,, confirmation of . . . . . ,, s.411.
Bye-laws and rules ; publication of ; copies to be kept for sale . ,, ss.415to418.
Power of President to summon person to give evidence or produce document . . . . . ,, s.429.
,, Local Government to cancel rules or bye-laws made by Municipal authority . . . . . ,, s.419.
Penalties ; continuing offences . . . . . ,, ss.420,421, Schs.16,17.
Notices and permissions to be in writing . . . . . ,, s.430.
Consent of municipal authority or officer how proved . . ,, s.431.
Notices and other documents ; signature may be stamped ; service of . . . . . ,, ss.432,435, 436.
Notice ; publication of . . . . . ,, ss.433,434.
,, penalty for defacing, etc. . . . . ,, s.468.
Execution of work by President in default of owner or occupier ; recovery of expenses ; saving of contracts . . . . . ,, ss.442,443.
Limitation on liability of occupier . . . . . ,, s.438.
Occupier may execute work in default of owner . . . ,, s.439.
Deduction from rent of amount paid by occupier for owner ; saving of contracts . . . . . ,, ss.187,437, 439,443.
Procedure where occupier prevents owner from carrying Act into execution . . . . . ,, s.438.
Relief to trustees and agents . . . . . ,, s.444.

MUNICIPALITY—*contd.*

XV.—CITY OF MADRAS—*concld.*

7. Supplemental—*contd.*

Compensation ; power of Corporation to pay	Mad.Act3,1904,s.445.
„ for damage to property of Corporation	„ s.455.
Rent for occupation of ground ; charging and recovery of	„ s.408.
Recovery of sums due to Corporation	„ s.446.
Determination, apportionment and recovery of costs, damages, compensation, charges or expenses	„ ss.447to450.
Penalty for obstructing municipal contractor, etc., or removing mark	„ ss.466,467.
Prosecutions ; power to direct	„ s.451.
„ limitation of	„ s.452.
„ Magistrate before whom to be instituted	„ s.453.
Publication of penalties	„ s.417.
Fines ; recovery of	„ s.454.
„ application of	„ s.454(*3*).
Suit against Commissioners to compel them to carry out work or perform duty	„ s.456.
Vacancies and irregularities not to invalidate proceedings	„ ss.86,460.
Licenses and permissions : provisions as to fees, penalties, appeal	„ ss.426,427.
Appeals ; limitation	„ ss.427,428.
Suit against Corporation, municipal authority or officer ; notice ; tender of amends	„ s.457.
No suit against municipal authority, servant, etc., for thing done under Act with due care and attention	„ s.459.

XVI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE.

A.—MUNICIPALITIES PROPER.

1. Preliminary.

Definitions	Act20,1891,ss.3,42(*2*), 91,100(*4*), 114,210(*2*).

2. Constitution and Government.

(*a*) CONSTITUTION OF MUNICIPALITIES.

Procedure for constituting municipality	„ s.4.
Power to divide municipalities into wards, etc.	„ s.184(*b*).
„ to alter municipal limits ; consequences to ensue on alteration	„ ss.194to197.
„ to direct that municipality be transferred from one class to another	„ s.198.
„ to except municipality from provisions of Act unsuited thereto, or to withdraw municipality altogether from operation of Act ; consequences to ensue on exercise of power	„ ss.199,200.
District Boards and Local Boards not to have authority in municipality	Act20,1883,s.10(*3*).

MUNICIPALITY—*contd.*

XVI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

2. **Constitution and Government**—*contd.*

(*b*) CONSTITUTION OF MUNICIPAL COMMITTEES.

Appointment or election of members	Act20,1891	ss.5,41,184(*1*).
Corruption or intimidation at election	,,	s.184(*2*).
Term of office of members	,,	ss.6to9,12 (*3*),184(*h*).
Resignation or removal of members	,,	ss.10,11,41.
Filling of casual vacancies	,,	ss.12,41.
Incorporation of Committee	,,	s.13.
Member deemed to be "Municipal Commissioner"	,,	s.14.
President and Vice-President; election or appointment of	,,	s.15.
,, ,, ,, term of office of	,,	ss.15(*4*), 16,17(*2*),25 (*i*),184(*h*).
,, ,, ,, filling of casual vacancies in office of	,,	s.17.
Notification of elections and appointments; power to refuse to notify election in certain cases	,,	s.18.

(*c*) CONDUCT OF BUSINESS.

Time for holding meetings	,,	ss.19,25(*a*).
Ordinary and special meetings	,,	s.20.
Quorum	,,	ss.21, 25(*c*).
Who to be Chairman of meetings	,,	s.22.
Vote of majority ordinarily decisive; Chairman has casting vote	,,	s.23.
Record, signature and publication of proceedings; proceedings to be kept open to inspection; copy of resolutions to be sent to Deputy Commissioner	,,	s.24.
Language (English or vernacular)	,,	s.184(*v*).
Making and publishing of bye-laws as to conduct of business	,,	ss.25,41.
Power of Local Government to make rules as to conduct of business	,,	s.184.
Extraordinary powers of President and Vice-President in case of emergency	,,	s.26.
Joint Committees: appointment of, by Municipal Committee and District Board or Cantonment Authority or another Municipal Committee; delegation of powers to, and framing of regulations for	Act20,1883 Act20,1891	s.24. s.27.

(*d*) OFFICERS AND SERVANTS.

Appointment, remuneration and removal of Secretary	,,	s.29.
,, ,, ,, other officers and servants	,,	ss.30, 184(*i*).
Dismissal of Government officials employed continuously from 15th September 1884	,,	s.31.

MUNICIPALITY—*contd.*

XVI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

2. **Constitution and Government**—*contd.*

(*d*) OFFICERS AND SERVANTS—*contd.*

Power to make bye-laws as to appointment, duties, leave, suspension and removal	Act 20, 1891, s.25(*h*).
Power to make rules as to procedure for punishment or dismissal of servants	,, s.184(*n*).
Power of Commissioner of Division to prevent extravagance in establishments	,, s.32.
Pensions, gratuities and leave-allowances	,, ss.33,34 (am. Pun. [1]Act 1, 1905, s.3).
Sweepers to receive or give one month's notice before discharge or resignation; penalty for resignation or absence from duty without notice; power to apply these provisions to other servants	,, s.203.

(*e*) GENERAL POWERS OF OFFICIAL CONTROL.

Copy of resolutions of Committee to be sent to Deputy Commissioner	,, s.24(*2*).
Periodical reports to be submitted by Committee to Deputy Commissioner or other officer	,, s.176(*2*).
Commissioner; power of, to prevent extravagance in establishments	,, s.32.
Commissioner or Deputy Commissioner; general powers of control exercisable by	,, s.176(*1*).
,, ,, ,, power of, to suspend action of Committee or Joint Committee	,, s.177.
,, ,, ,, power of, to provide for performance of duties in case of default of Committee	,, s.179.
Deputy Commissioner; extraordinary power of, in case of emergency	,, s.178.
Action under s. 177, 178 or 179 to be reported to Local Government; its powers	,, s.180.
Local Government, Commissioner and Deputy Commissioners to require that proceedings of Committees shall be in conformity with law	,, ss.181, 184(*u*).
Power of Local Government—	
to supersede Committee in case of incompetency, persistent default or abuse of powers; consequences to ensue on supersession	,, s.182.
to frame forms and make rules	,, s.184[1](am. Pun. Act 1, 1905, s.4).

[1] Punjab Act 1, 1905, has been extended to North-West Frontier Province by notification under Act 14, 1874.

MUNICIPALITY—*contd.*

XVI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

2. Constitution and Government—*concld.*

(*e*) GENERAL POWERS OF OFFICIAL CONTROL—*contd.*

General powers of Local Government over Commissioners and Deputy Commissioners and of Commissioners over Deputy Commissioners	Act20,1891,s.185.
Settlement of disputes between Committees or between Committee and District Board or Cantonment Authority	Act20,1883,s.54. Act20,1891,s.183.

(*f*) MISCELLANEOUS.

Delegation to Commissioner of powers and functions of Local Government under ss. 5 (*3*), 10, 12 and 25 (*2*)	,, s.41.
Power of Local Government to make rules	,, s.184.

3. Taxation.

Taxes which may be imposed	,, s.42,Sch.ss. 43,44.
Procedure in imposing taxes	,, s.45.
Compounding for tolls	,, s.42(*1*),prov.
Power to abolish or reduce tax	,, s.46.
,, to exempt persons or property from taxation	,, s.47.
,, for Local Government to suspend levy of tax	,, s.48.
Remission of tax on unoccupied immoveable property	,, s.62.
Taxes not invalid for defect of form	,, s.49.
,, when payable	,, s.50.
,, receipts to be given for	,, s.51.
Appeals against taxation; limitation	,, ss.52,53,54.
Duty of furnishing true information regarding liability to taxation; penalty	,, s.55.
Assessment and recovery of taxes on immoveable property	,, ss.55to64.
Power to make bye-laws as to assessment and collection of taxes and as to fees payable in respect of notices of demand	,, s.143(*s*).
Recovery of taxes by distress and sale	,, s.201.
,, ,, by process for recovery of arrears of land-revenue	,, s.64(*3*).
Power of entry for discovery of animals liable to taxation	,, s.109.
Octroi; search for and examination of articles liable to	,, ss.65,66.
,, presentation of bill for	,, s.67.
,, penalty for evasion of	,, s.70.
,, power to make bye-laws as to	,, ss.143(*f*),(*g*),(*2*).
,, ,, collect, in adjoining cantonment, under agreement with Cantonment Authority	,, s.143(*3*).
,, and tolls; seizure and sale of property for recovery of	,, s.68.
,, ,, leasing of	,, s.69.
,, ,, exhibition of tables of	,, s.143(*g*),(*h*).
Simla: land, house and frontage taxes imposed in, validated	,, ss.208,209.

MUNICIPALITY—*contd.*

XVI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

4. Municipal Fund and Property.

Municipal Fund ; constitution of	Act20,1891,s.71.
,, ,, power of Local Government to direct crediting to Municipal Fund of net proceeds of local rate levied in municipality under the Punjab District Boards Act, 1883	Act20,1883,s.9.
,, ,, application of	Act20,1891,ss.26,72,178, 179.
,, ,, sanction of Local Government required to payment of salary to President out of	,, s.73.
,, ,, authority on which money may be paid from	,, s.184(*k*).
,, ,, custody and investment of	,, ss.74,75.
,, ,, compensation when payable out of	,, s.149.
,, ,, power to make rules as to accounts and estimates	,, s.184(*r*),(*s*).
Municipal property ; what property vested in Committee	,, s.76.
,, ,, management of certain public institutions vested in Committee ; property, endowments and funds belonging thereto to be held by Committee in trust	,, s.77.
,, ,, transfer of, to Crown	,, s.78.
,, ,, conditions on transfer of, by sale, mortgage, lease, etc.	,, s.184(*o*).
,, ,, acquisition of land for Committee	,, ss.40,85, 91(*1*),92(*1*).
,, ,, collections from house-scavenging to vest in Committee	,, s.117.
Transfer of public ferry to Municipal Committee	Act17,1878,s.7.
Allotment for benefit of area excluded from municipality	Act20,1891,s.196.
Disposal of, when municipal area withdrawn from operation of Act	,, s.200.
Contract ; procedure for entering into	,, s.95.
,, or transfer of property ; mode of executing	,, s.36.
,, penalty on member, officer or servant of Committee being interested in contract made with Committee	,, s.37.
Notice of suit against Committee or officer or servant thereof	,, s.38.
S. 38 of Act 20, 1891, not to apply to suit cognizable by Revenue Court	Act16,1887,s.94.
Liability of member of Committee for loss, waste or misapplication of money or property	Act20,1891,s.39.

5. Police.

Committee to maintain police-establishment	,, s.79(*1*).
Pay, leave-allowances, gratuities and pensions of police-establishment	,, s.79(*2*).
Local Government may relieve Committee from police-charges, and must then maintain police-establishment	,, s.80.

MUNICIPALITY—*contd.*

XVI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

5. Police—*contd.*

Police to consist of body of watchmen or of part of general police-force	Act 20, 1891,	ss. 79(2), 80(2).
Government, appointment, promotion, punishment, duties, powers and responsibilities of watchmen	,,	ss. 81(l), 184(l).
Arrest without warrant of person obstructing watchmen	,,	s. 81(2).
Duties of police consisting of part of general police-force	,,	s. 82.
Police to report offences and to assist members, officers and servants of Committee	,,	s. 83(1).
Arrest by police; detention of person arrested	,,	s. 83(2),(3).
Provision by Local Government of police-protection at fairs, etc.	,,	s. 84.
Powers of police for suppression of fire	,,	s. 173.

6. The Public Health, Safety and Convenience.

(a) STREETS AND PUBLIC PLACES.
(b) BUILDINGS.
(c) DANGEROUS BUILDINGS, ETC.
(d) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.
(e) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.
(f) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.
(g) HOUSE-SCAVENGING.
(h) SLAUGHTER-PLACES.
(i) BATHING AND WASHING PLACES.
(j) WATER-SUPPLY.
(k) FOOD, DRINK AND DRUGS.
(l) RESTRAINT OF INFECTION.
(m) DISPOSAL OF THE DEAD.
(n) OFFENSIVE AND DANGEROUS TRADES.
(o) PREVENTION AND EXTINCTION OF FIRE.
(p) DANGEROUS ANIMALS.
(q) HACKNEY-CARRIAGES, BOATS, JOB-HORSES, PORTERS, ETC.
(r) ENTRY AND INSPECTION.
(s) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.
(t) MISCELLANEOUS.

(a) STREETS AND PUBLIC PLACES.

Municipal Fund applicable to construction, maintenance, improvement, cleansing and repair of public streets, bridges and embankments and watering and lighting of public streets	Act 20, 1891,	s. 72(2).
Acquisition of land for building-sites adjoining new streets	,,	s. 85.
Naming of streets; penalty for defacing, etc., name	,,	s. 89.
General power to close street	,,	s. 86.
Power to close street in suppressing fire	,,	s. 173(b).
,, permit temporary occupation of street or land, and charge fees therefor	,,	s. 87.
,, to lay or carry cable, wire, pipe, drain, etc., through	,,	s. 120A.
Troughs and pipes for carrying water from buildings	,,	s. 121.
Cutting or trimming of hedges bordering on or branches overhanging street	,,	s. 130.
Penalty for driving vehicle in street without proper lights	,,	s. 159.
,, unlawfully— encroaching on street; altering materials, fences or posts of street; depositing building materials or making excavation in street; removing material from beneath street	,,	s. 164.

MUNICIPALITY—*contd.*

XVI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*a*) STREETS AND PUBLIC PLACES—*contd.*

Penalty for unlawfully—*contd.*

picketing animals or collecting carts on public ground, using public ground as halting place or encampment, or permitting animals to stray . . Act 20, 1891, s. 166.

disturbing direction-post or lamp-post, or extinguishing light, in public place . . . . . „ s. 168.

See also below, (*p*), (*t*).

(*b*) BUILDINGS.

Notice of new building; powers of Committee as to construction; compensation; appeal . . . . . „ ss. 92, 94, 150.

Power to make bye-laws as to mode of construction of buildings „ ss. 93, 94.

„ prevent use of inflammable materials in roof or external wall . . . . . „ s. 90.

Regulation of line of buildings; compensation. . . . . „ s. 91.

Removal of projection or encroachment from building; compensation . . . . . „ s. 95(*1*), (*2*).

Permission to put up projecting verandahs, etc. . . . . „ s. 95(*3*).

Attaching to buildings brackets for lamps . . . . . „ s. 88.

Numbering of buildings; penalty for defacing, etc., number . „ s. 89.

Unauthorised building over sewer, drain, culvert, water-course or water-pipe vested in Committee . . . . . „ s. 124.

Penalty for building dangerously . . . . . „ s. 165.

See also below, (*c*), (*d*), (*g*), (*r*).

(*c*) DANGEROUS BUILDINGS, ETC.

Repair, protection or enclosing of dangerous building, well, tank, reservoir, pool, depression or excavation . . . . . „ s. 127.

Removal or repair of ruinous or dangerous building, wall, structure, bank or tree . . . . . „ s. 128.

See also below, (*t*).

(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.

Cleansing of building for sanitary reasons . . . . . „ s. 107.

„ filthy building or land . . . . . „ s. 131.

Clearing away noxious vegetation or undergrowth . . . . „ s. 129.

Cutting or trimming of hedges bordering on street or branches overhanging street or source of public water-supply . . „ s. 130.

Power to prohibit use for human habitation of building unfit for such use; appeal . . . . . „ ss. 132, 150.

Prohibition or regulation of cultivation, use of manure or irrigation injurious to health; compensation; penalty . . . „ s. 134.

Securing or enclosing of untenanted building or land becoming a nuisance . . . . . „ s. 133.

MUNICIPALITY—*contd.*

XVI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

Places for deposit, and directions for removal	Act20,1891,s.97.
Disposal of dead bodies of animals; penalty	,, s.100.
Penalty for keeping offensive matter more than 24 hours or not in proper receptacle	,, s.154.

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Municipal Fund applicable to construction, etc., of public drains and latrines	,, s.72(2).
Power to carry drain, sewer, etc., through street or private land; notice; compensation; unnecessary interference with private rights not to be caused	,, ss.120A to 120C.
Connection with municipal drain, sewer, etc.	,, ss.120D, 120G.
Power of Committee in notified municipalities to establish or require owner or occupier to establish connection with municipal drain or sewer	,, s.120E.
Removal or provision of drain, privy, cesspool or other receptacle; provision of drainage connection	,, s.122(*1*).
Provision and maintenance of latrines and urinals for workmen .	,, s.122(2).
Shutting out of privy from view, etc.	,, s.122(3).
Repair or closing of drain, privy or cesspool	,, s.123.
Removal or closing of drain, latrine, urinal, cesspool or other receptacle near source of public water-supply; penalty . .	,, ss.125,156.
Penalty for unlawfully making or altering drain leading into public sewer or drain	,, s.155.
,, unlawfully encroaching on sewer or drain . .	,, s.164.
,, not keeping offensive matter in proper receptacle, or for suffering receptacle to be in filthy or noxious state or not cleansing same	,, s.154.
Unauthorised building over sewer or drain vested in Committee .	,, s.124.

See also below, (r), (t).

(*g*) HOUSE-SCAVENGING.

Definition	,, s.111.
Undertaking by Committee of house-scavenging generally; exclusion of houses on application of occupier; saving of rights of customary sweepers and of agriculturists	,, ss.112,113.
Continuance of house-scavenging once undertaken by Committee	,, ss.114,115.
Powers of municipal servants	,, s.116.
Collections to belong to Committee	,, s.117.
Punishment of customary sweepers and of agriculturists for negligence; appeal	,, ss.118,119, 151.

(*h*) SLAUGHTER-PLACES.

Places for slaughter of animals for sale; penalty for slaughtering elsewhere	,, s.98.

MUNICIPALITY—*contd.*

XVI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*h*) SLAUGHTER-PLACES—*contd.*

Places for slaughter of animals for purposes other than sale; exception as to slaughter for religious purposes	Act 20, 1891,	s.99.
Inspection and regulation of slaughter-houses	,,	s.143(*e*).
See also below, (*k*).		

(*i*) BATHING AND WASHING PLACES.

Establishment and regulation of	,,	s.96.
Inspection and regulation of dhobis' ghats	,,	s.143(*e*).

(*j*) WATER-SUPPLY.

Municipal Fund applicable to construction, etc., of public tanks and water-courses, and supply, storage and preservation of water	,,	s.72(*2*).
Power to carry pipe, channel, etc., through street or private land; notice; compensation; unnecessary interference with private rights not to be caused	,,	ss.120A to 120C.
Connection with municipal water-pipe, channel, etc.; power to fix rates and charges	,,	ss.120D, 120F to 120H.
Power of Committee in notified municipality to establish or require owner or occupier to establish connection with municipal water-pipe	,,	s.120E.
Unauthorized building over water-course or water-pipe vested in Committee	,,	s.124.
Penalty for unlawfully encroaching on water-course	,,	s.164.
Removal or closing of drain, latrine, etc., near source of public water-supply; penalty	,,	ss.125,156.
Cleansing, repairing, covering, filling-up or draining-off of private well, tank, reservoir, pool, depression or excavation injurious to health or offensive; compensation	,,	s.126.
Repair, protection or enclosing of dangerous well, tank, reservoir, etc.	,,	s.127.
Cutting or trimming of branches overhanging source of public water-supply	,,	s.130.
Prohibition of use of unwholesome water for drinking purposes	,,	ss.141,142.
Supervision and regulation of sources of public water-supply	,,	s.143(*c*).
Power to shut off mains and pipes to secure greater pressure of water in case of fire	,,	s.173(*d*).

(*k*) FOOD, DRINK AND DRUGS.

Municipal Fund applicable to construction, etc., of markets	,,	s.72(*2*).
Power to— inspect market or other place used for sale of food or drink for man, or as a slaughter-house or for the sale of drugs; seize or destroy, etc., article or animal unfit for human consumption, and; remove noxious or adulterated drug, and bring owner before Magistrate	,,	s.110.

MUNICIPALITY—*contd.*

XVI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*k*) FOOD, DRINK AND DRUGS—*contd.*

Power to make bye-laws for—		
regulating manufacture, preparation, transport and sale of food or drink	Act20,1891,s.137.	
regulating sale and importation for sale of milk and butter .		
inspection and regulation of markets and flour-mills . .	,,	s.143(*e*).
controlling and regulating admission of flesh of cattle, etc., slaughtered outside municipality	,,	s.143(*k*).
Penalty for selling article of food or drink of a nature different from the article demanded	,,	s.137A.
,, feeding dairy or slaughter animals on deleterious substance	,,	s.158.
Seizure and disposal of flesh of cattle, etc., unlawfully brought into municipality	,,	s.171.

See also below, (*r*).

(*l*) RESTRAINT OF INFECTION.

Cholera or small-pox; information to be given of; penalty .	,,	s.139.
,, ,, removal of patient to hospital . .	,,	ss.140,142.
Notices and precautions in case of infectious disease in lodging-house	,,	s.143(*d*).
Prohibition of use of unwholesome water for drinking purposes .	,,	ss.141,142.

(*m*) DISPOSAL OF THE DEAD.

Power of Committee to close existing burial or burning place .	,,	s.101(*1*),(*2*).
Permission of Committee required to forming of new burial or burning place	,,	s.101(*3*).
Appeal from order under s. 101	,,	s.150.
Penalty for burying or burning corpse in place closed or place formed without permission	,,	s.101(*4*).
Control and regulation of use and management of burial and burning places	,,	s.143(*c*).
Routes for removal of corpses	,,	s.102.
Penalty for carrying corpse along prohibited route or so as to cause annoyance to public	,,	s.167.

(*n*) OFFENSIVE AND DANGEROUS TRADES.

Regulation or prohibition of; penalty; appeal	,,	ss.135,136, 150.

(*o*) PREVENTION AND EXTINCTION OF FIRE.

Power to prohibit—		
use of inflammable materials in roof or external wall . .	,,	s.90.
stacking or collecting of wood, dry grass, straw, or other inflammable materials, or placing of mats or thatched huts, or lighting of fires in any place	,,	s.103.

MUNICIPALITY—*contd.*

XVI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*o*) PREVENTION AND EXTINCTION OF FIRE—*contd.*

Power to prohibit—*contd.*

lighting of fires in top storey, or placing of stands for lights in dangerous position	Act 20, 1891,	s.104.
storage of explosives, petroleum, spirit, naphtha or other inflammable material	,,	s.105.
Power to regulate or prohibit trading in hay, straw, thatching-grass, wood, coal or other dangerously inflammable material, or storing of explosive, petroleum or any inflammable oil or spirit; penalty; appeal	,,	ss.135,136, 150.
Establishment and maintenance of fire-brigade	,,	s.172.
Powers of members of fire-brigade and other persons for suppression of fire; such powers subject to restrictions, etc., imposed by rule	,,	ss.173,174.
Ss. 172 to 174 not to take effect till specially extended by Local Government	,,	s.175.
Power to make rules as to formation and working of fire-brigades	,,	s.184(*m*).

See also below, (*r*).

(*p*) DANGEROUS ANIMALS.

Destruction or confinement of mad dogs	,,	s.138.
Penalty for allowing dangerous dog to be at large unmuzzled in street	,,	s.163.
,, ,, not removing elephant, camel or bear on approach of horse	,,	s.161.
,, ,, unlawfully taking elephant along street	,,	s.162.

(*q*) HACKNEY-CARRIAGES, BOATS, JOB-HORSES, PORTERS, ETC.

Power to—

render licenses necessary for vehicles, boats or animals kept or plying for hire	,,	s.143(*a*).
limit rates for hire of carriages, carts, boats or other conveyances, or of animals hired to carry loads, or for services of porters; limit loads to be carried by such conveyances, animals or porters	,,	s.143(*b*).
Saving for vehicles to which Hackney-carriage Act, 1879, applies	,,	s.143, prov.

(*r*) ENTRY AND INSPECTION.

Power to enter building or land and inspect drains, privies or cesspools; opening of ground to prevent or remove nuisance; notice of entry; payment of expenses	,,	s.106.
enter building and direct cleansing for sanitary reasons; notice of entry	,,	s.107.
enter building or land for making survey or valuation, for examining works under construction, for ascertaining course of sewers or drains, or for executing or repairing work; notice of entry	,,	s.108.

MUNICIPALITY—*contd.*

XVI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*r*) ENTRY AND INSPECTION—*contd.*

Power to enter for discovery of vehicles or animals liable to taxation	Act 20, 1891, s. 109.
,, enter and inspect building containing petroleum, explosive or other inflammable material; seizure and disposal of excess quantities; appeal	,, ss. 120, 151.
Inspection of lodging-houses	,, s. 143(*d*).
,, encamping-grounds, pounds, sarais, markets, dhobis' ghats, flour-mills and slaughter-houses	,, s. 143(*e*).
Precautions to be observed in entering dwelling	,, s. 202.

See also above, (*k*).

(*s*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.

Municipal Fund applicable to	Act 20, 1891, s. 72(*2*).
Power to make bye-laws for	,, s. 143(*c*).

(*t*) MISCELLANEOUS.

Municipal Fund applicable to—	
payment of expenses of pauper lunatics	,, s. 72(*1*).
,, portion of cost of public expenditure	
construction, etc., of schools, hospitals, dispensaries, rest-houses, sarais, poor-houses, encamping-grounds, pounds and other works of public utility	,, s. 72(*2*).
grants-in-aid to schools, dispensaries, poor-houses, leper-asylums, etc.	
training of teachers and establishment of scholarships	
relief and relief-works in time of famine or scarcity	
planting and preservation of trees	
public vaccination	
sanitary measures	
holding of fairs, etc.	
things likely to promote health, safety, welfare or convenience of inhabitants	
Power to lay or carry cable, wire, pipe, etc., through private land; notice; compensation; unnecessary interference with private rights not to be caused	,, ss. 120A to 120C.
Connection with cable, wire, etc., maintained by or vested in Committee; power to fix rates and charges	,, ss. 120D, 120F to 120H.
Fairs, etc., holding of	,, s. 143(*d*).
Lodging-houses; regulation of	
Sarais, encamping-grounds and pounds; inspection and regulation of	,, s. 143(*e*).
Brothels: power to suppress; penalty	,, s. 204.
Penalty for unlawfully placing earth, materials or offensive matter on street or place or into public sewer or drain	,, s. 152.
,, for unlawfully allowing offensive matter to flow, etc., into street, sewer, drain, etc.	,, s. 153.

MUNICIPALITY—*contd.*

XVI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*concld.*

(*t*) MISCELLANEOUS—*contd.*

Penalty for keeping animals so as to be injurious to health or so as to become a nuisance	Act20,1891,s.157.
„ for discharging fire-arms or letting-off fire-works or fire-balloons or engaging in dangerous game	„ s.160.
„ for dangerous quarrying, blasting, cutting of timber or building	„ s.165.
„ for bill posting, etc., or otherwise defacing building, wall, etc., without permission	„ s.168A.
„ for being found within municipality in certain frontier districts at night, carrying arms, etc.	Reg.3,1901,s.29. Reg.7,1901,s.3,Sch.1.
„ for not complying with notice or conditions	Act20,1891,s.169.
Hilly tracts :	
Power to regulate or prohibit— cutting of trees or shrubs, making excavations, etc. any description of traffic in streets Power to render licenses necessary— for using premises as stables or cow-houses for working as job-porter for animals or carriages let out on hire for persons impelling such carriages Power to regulate charges for job-porters, etc., and hire of animals or carriages	Act20,1891,s.144.

7. Supplemental.

Rules ; general power to make	„ s.184.
Bye-laws ; general power to make	„ s.142.
„ penalty for breach of	„ s.145.
„ confirmation and publication of	„ s.146.
Rules and bye-laws to be published in draft	„ s.189(*1*),(*2*).
„ „ „ to be finally published in Gazette	„ ss.3(*8*),189(*3*).
„ „ „ to be available for inspection and purchase	„ s.190.
Notice to fix reasonable time for doing act ; Magistrate to determine whether time fixed is reasonable	„ ss.147(*1*),169, prov.
„ authentication of	„ s.191(*1*).
„ service of	„ ss.191,192.
„ when to be served on occupier	„ ss.147(*2*),191(*5*).
„ publication of	„ ss.184(*m*),193.
„ not invalid for defect of form	„ s.191(*5*).
„ when not complied with, Committee may perform act	„ s.147(*3*).
„ penalty for not complying with	„ s.169.
Agent ; appointment of, by absentee owner of building or land	„ s.143(*h*).
„ or trustee discharging obligation imposed on owner of immoveable property ; relief to	„ s.205.

MUNICIPALITY—*contd.*

XVI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*concld.*

A.—MUNICIPALITIES PROPER—*concld.*

7. Supplemental—*contd.*

Recovery of cost of work executed by Committee in default of owner or occupier; deduction from rent of sum paid by occupier; saving of contracts . .	Act20,1891,s.148.
,, moneys claimable by Committee	,, s.201.
Compensation when payable out of Municipal Fund; application of procedure of Land Acquisition Act for settlement of disputes	,, s.149.
Appeal from orders of Committee; limitation	,, s.150.
,, from order of Magistrate punishing customary sweeper or agriculturist for negligence in respect of house-scavenging	,, s.151.
,, suspension of action pending	,, s.170.
Prosecutions by whom to be initiated	,, s.186.
Compounding for offence	,, s.187.
Judge or Magistrate not to be deemed interested in prosecution by reason of being member of Committee	,, s.188.
Decision of question whether persons are "inhabitants" . .	,, s.206.
Vacancies and irregularities not to invalidate proceedings . .	,, ss.28,49, 191(5).
Duty of member of Committee to assist Transport Registration Officer in making enumeration of animals	[1]Pun.Act1,1903,s.5.

B.—SMALL TOWNS GOVERNED ON MUNICIPAL LINES.

Power to notify areas, impose taxation and regulate expenditure therein, appoint a Committee and extend Municipal Act with modifications	Act20,1891,ss.210to 214.

XVII.—UNITED PROVINCES.

A.—MUNICIPALITIES PROPER.

1. Preliminary.

U. P. Act 1, 1900, extends to whole of the United Provinces .	U.P.Act1,1900,s.1.
,, ,, 1891, ,, ,, ,, ,, ,, .	U.P.Act1,1891,s.1.
,, ,, 1892, ,, ,, ,, ,, ,, .	U.P.Act1,1892,s.1.
,, Act 3, 1894, ,, ,, ,, ,, ,, .	U.P.Act3,1894,s.1.
Definitions	U.P.Act1,1891,s.2. U.P.Act1,1892,s.2. U.P.Act1,1900, ss.3,95, 117(4),177, expln.1.

2. Constitution and Government.

(*a*) CONSTITUTION OF MUNICIPALITIES.

Power to create, or extend limits of, municipality; procedure .	U.P.Act1,1900,ss.4to7.
Effect of including local area in municipality	,, s.8.

[1] Pun. Act 1, 1903, has been extended to North-West Frontier Province by notification under Act 14, 1874.

MUNICIPALITY—*contd.*

XVII.—UNITED PROVINCES—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

2. Constitution and Government—*contd.*

(*a*) CONSTITUTION OF MUNICIPALITIES—*contd.*

Power to exclude local area from municipality or to withdraw any municipality from operation of Act	U.P.Act1,1920,ss.188, 189,191(*1*).
Effect of excluding local area from municipality or of withdrawing municipality from Act	„ ss.190, 191,192.

(*b*) CONSTITUTION OF MUNICIPAL COMMITTEES.

Nomination or election of members	„ ss.9,28.
Power to exempt municipalities from provisions as to election of members: Municipalities of Jhansi, Lalitpur, Orai, Kalpi, Kunch and Naini Tal to be deemed to be exempted	„ s.10.
Term of office of members	„ ss.11,12, 16(*3*).
Power to reduce number of members	„ s.13.
Resignation and removal of members; filling of casual vacancies	„ ss.14to16, 28.
Incorporation of Board	„ s.17.
Member deemed to be "Municipal Commissioner"	„ s.18.
Chairman and Vice-Chairman: election or appointment of; term of office of; to be member of Board	„ ss.20to22, 26,28.
Power to make rules as to—	
election of members of Boards	„ ss.187(*1*)(*c*)to(*h*). 187(*2*).
appointment of members of Boards	„ s.187(*1*)(*i*).
term of office of members of Boards	„ s.187(*1*)(*c*).
regulate, etc., powers and duties of Board	„ s.187(*1*), (*a*),(*t*).
division of municipalities into wards	„ s.187(*1*) (*b*).
Resignation and removal of Chairman or Vice-Chairman; filling of casual vacancies	„ ss.23to25, 28.
Delegation of powers of Local Government as to appointments or resignations	„ s.27.

(*c*) CONDUCT OF BUSINESS.

Ordinary and special meetings	„ s.30.
Time and place for holding meeting	„ ss.29,36 (*1*)(*a*).
Who to be Chairman of meeting	„ s.32.
Quorum	„ s.31.
Vote of majority ordinarily decisive; Chairman has casting vote	„ s.33.
Certain officers entitled to attend and speak	„ s.34.
Proceedings: record, signature, publication and inspection of; copy of every resolution to be sent to District Magistrate	„ s.35.

MUNICIPALITY—*contd.*

XVII.—UNITED PROVINCES—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

2. Constitution and Government—*contd.*

(*c*) CONDUCT OF BUSINESS—*contd.*

Making and publication of rules as to	U.P.Act1,1900,	s.36.
Power to make rules to delegate certain powers to Chairman, Vice-Chairman, a sub-committee or any member	,,	s.36(add. U.P.Act1, 1907,s.2).
Power to make rules as to—		
channels of correspondence	,,	s.187(*1*)(*o*).
language of proceedings and correspondence	,,	s.187(*1*)(*j*).
returns, statements and reports to be submitted by Board	,,	s.187(*1*)(*s*).
Joint Committees: appointment of, by Municipal Board and District Council, Local Board, Cantonment Authority or another Municipal Board; delegation of powers to, and framing of regulations for	,,	s.38.
Sub-Committees; delegation of powers of Board to	,,	s.37.

(*d*) OFFICERS AND SERVANTS.

Secretary; appointment, remuneration and removal of	,,	s.40.
Other officers and servants; employment and salaries of	,,	s.41.
One month's notice or wages to be ordinarily given to officer or servant before discharge	,,	s.44.
Pensions, annuities, gratuities and leave-allowances of	,,	ss.42,43 (am.U.P. Act1,1907, s.3).
Penalty for sweepers and notified servants leaving without notice or neglecting duty	,,	s.45.
Power to make rules as to qualifications of certain officers and servants	,,	s.187(*1*)(*n*).

(*e*) GENERAL POWERS OF OFFICIAL CONTROL.

District Magistrate; copy of resolutions of Committee to be sent to	,,	s.35(*2*).
Commissioner or District Magistrate; general powers of control exerciseable by	,,	s.182.
Commissioner or District Magistrate; power of, to suspend action of Board or Joint Committee	,,	s.183.
District Magistrate; extraordinary power of, in case of emergency	,,	s.185.
Local Government; power of, to provide for performance of duties in case of default of Board	,,	s.184.
Local Government; power of, to supersede Board in case of incompetency, persistent default or abuse of powers; consequences to ensue on supersession	,,	s.186.
Local Government; power of, to frame forms and make rules	,,	s.187.
Commissioner or Local Government; power of, to settle differences between Municipal Boards or between Municipal Board and District Council, Local Board or Cantonment Authority	,,	s.38(*2*).

MUNICIPALITY—*contd.*

XVII.—UNITED PROVINCES—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

3. Taxation.

Taxes which may be imposed	U.P.Act1,1900,s.59.
Limitation upon house-scavenging tax and water-rate	,, ss.60,61.
Procedure in imposing taxes	,, s.62.
Power to make rules for fixing octroi-limits; penalty for evasion of payment of octroi	,, s.69(*1*),(*2*).
Taxes not invalid for defect of form	,, s.63.
Power to abolish or reduce tax, or exempt persons or property from tax	,, ss.65,66.
Power to compound for certain taxes	,, ss.64,187 (*1*)(*k*).
Duty of furnishing true information regarding liability to taxation; penalty	,, s.67.
Recovery of taxes	,, ss.70(sub. U.P.Act1, 1907,s.4),187 (*1*)(*k*).
Appeal against taxation; limitation	,, ss.71,72.
Taxation not to be questioned except under this Act	,, s.73.
Power to make rules for assessment and collection of taxes	,, s.187(*1*)(*k*).
Collection of municipal tax by railway administrations in certain cases, by agreement	U.P.Act2,1899.

See also below, 6(*j*).

4. Municipal Fund and Property.

Municipal Fund; constitution of	U.P.Act1,1900,s.52.
,, ,, application of	,, ss.53,187(*1*).
,, ,, custody and investment of	,, s.54.
,, ,, power to make rules as to authority on which money may be paid out of	,, s.187(*1*)(*l*).
,, ,, disposal of, when area excluded from municipality	,, ss.190, 191.
,, ,, proceeds of public ferries transferred to Board	Act17,1878,s.7.
Municipal property; what property vested in Board	U.P.Act1,1900,s.55.
,, ,, power of Board to hold property	,, s.17.
,, ,, acquisition of land for Board	,, s.57.
,, ,, power to transfer to His Majesty, subject to trusts	,, s.58.
[*See also below,* 6(*f*).]	
,, ,, power to make rules for protection of; penalty	,, ss.128(*a*), 132.
,, ,, power to make rules regarding acquisition, disposal, etc., of property	,, s.187(*1*)(*m*).
,, ,, disposal of, when area excluded from municipality	,, s.190,191.
,, ,, disposal of, when Board superseded	,, s.186(*2*).
,, ,, transfer of public ferries to Board	Act17,1878,s.7.

MUNICIPALITY—*contd.*

XVII.—UNITED PROVINCES—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

4. Municipal Fund and Property—*contd.*

Contract; authority to make contracts	U.P.Act1,1900,ss.17,46.	
,, mode of making	,,	s.47.
,, penalty on member, officer or servant of Board being interested in contract made with Board	,,	s.48.
Suit against Board or officer or servant: notice of	,,	s.49.
Liability of member of Board for loss, waste or misapplication of money or property	,,	s.50.
Power to make rules as to accounts, estimates, and sanction to expenditure	,,	s.187(*1*)(*p*),(*q*),(*r*).

5. Police.

Municipal Fund applicable to meet charges of police-establishment	,,	s.53(*1*)(*c*).
Duty of Municipal Board to maintain police-establishment unless relieved by Local Government from the obligation: establishment may consist either of watchmen or of regular police or both	,,	ss 74,75.
Duties, liabilities, etc., of municipal watchmen or municipal police	,,	ss.76,77.
Special police protection at fairs, etc.	,,	s.79.
Police to report offences and assist members, officers and servants of Board	,,	s.78(*1*).
Arrest by police: detention of person arrested	,,	s.78(*2*).

6. The Public Health, Safety and Convenience.

(*a*) STREETS AND PUBLIC PLACES.
(*b*) BUILDINGS.
(*c*) DANGEROUS BUILDINGS, ETC.
(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.
(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.
(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.
(*g*) SCAVENGING.
(*h*) SLAUGHTER-PLACES.
(*i*) BATHING AND WASHING PLACES.
(*j*) WATER-SUPPLY.
(*k*) FOOD, DRINK AND DRUGS.
(*l*) RESTRAINT OF INFECTION.
(*m*) DISPOSAL OF THE DEAD.
(*n*) OFFENSIVE AND DANGEROUS TRADES.
(*o*) PREVENTION AND EXTINCTION OF FIRE.
(*p*) DANGEROUS ANIMALS.
(*q*) HACKNEY-CARRIAGES, BOATS, JOB-HORSES, PORTERS, ETC.
(*r*) ENTRY AND INSPECTION.
(*s*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.
(*t*) MISCELLANEOUS.

(*a*) STREETS AND PUBLIC PLACES.

Municipal Fund applicable to construction, maintenance, improvement, cleansing and repair of public streets, bridges and embankments, and watering and lighting of streets	U.P.Act1,1900,s.53(*2*)(*a*)(*b*)	
Acquisition of land for building-sites on sides of streets	,,	s.80.
Power to close, divert or discontinue streets	,,	s.81.
Power to permit temporary occupation of street or *land*, and charge fees therefor	,,	s.82

MUNICIPALITY—*contd.*

XVII.—UNITED PROVINCES—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*a*) STREETS AND PUBLIC PLACES—*contd.*

Naming of streets ; penalty for destroying or defacing name	U.P.Act1,1900,s.84.
Power to make rules for regulating traffic in streets ; additional powers in hill municipalities ; penalty	,, ss.128(*c*), 131(*bb*)(ins. U.P.Act1, 1907,s.7),132.
Penalty for unlawfully placing earth, materials or offensive matter on street or public place	,, s.155.
,, unlawfully discharging sewage on street or public place	,, s.156.
,, neglect of the rule of the road (except in hill municipalities)	,, s.162(sub. U.P.Act1, 1907,s.9).
,, driving vehicle without lights	,, s.163(am. U.P.Act1, 1907,s.10).
,, not removing elephant or camel to a safe distance	,, s.165.
,, taking animal or vehicle along a street in disregard of orders of Board	,, s.166.
,, unlawfully altering, obstructing or encroaching on street or public place	,, s.168
,, defacing or disturbing direction-post or lamp-post, or extinguishing light	,, s.172.

ee also below, (*p*), (*t*).

(*b*) BUILDINGS.

Power to attach brackets for lamps	,, s.83.
Numbering of buildings ; penalty for destroying or defacing number	,, s.84.
Power to prevent use of inflammable materials in roof or external wall	,, s.85.
,, to regulate line of buildings ; compensation	,, s.86.
Regulation of new building ; compensation	,, s.87.
Power to make rules for regulation of buildings, additional powers in hill municipalities ; penalty	,, ss.128(*b*), 129,132,187, (*1*)(*ss*).
Removal of projections and overhanging structures ; compensation	,, s.88(*1*)(*2*).
Power to permit erection of projecting verandahs, balconies or rooms	,, s.88(*3*).
Putting up and maintaining troughs and pipes for rain-water	,, s.89.
Power to make rules for regulation of buildings let in lodgings ; penalty	,, ss.128(*g*), 132.

See also below, (*c*), (*d*), (*g*), (*r*).

MUNICIPALITY—*contd.*

XVII.—UNITED PROVINCES—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd*

(*c*) DANGEROUS BUILDINGS, ETC.

Repair, protection or enclosing of dangerous building, well, tank or excavation	U.P.Actl,1900,s.110.	
Removal or repair of dangerous or ruinous building, wall or structure	,,	s.111.
Additional power to make rules in hill municipalities for protection and preservation of land and soil; penalty	,,	ss.131(*a*),132.

(*d*) BUILDINGS AND GROUNDS IN INSANITARY CONDITION, ETC.

Clearing away noxious vegetation or undergrowth	,,	s.106.
Cutting or trimming of hedges bordering on street or branches overhanging street or source of public water-supply	,,	s.107.
Cleansing of filthy building or land	,,	s.104(am. U.P.Actl, 1907,s.5).
Penalty for failing to cleanse filthy building or land	,,	s.157A. (ins.U.P.Actl, 1907,s.8).
Power to prohibit use for human habitation of building unfit for such use	,,	s.105.
Securing or enclosing of untenanted building or land becoming a nuisance	,,	s.108.
Prohibition or regulation of cultivation, use of manure or irrigation injurious to health; compensation; penalty	,,	ss.109,132.
Power in hill municipalities to make rules for prevention of overcrowding in; penalty	,,	s.131(*cc*) (ins.U.P.Act 1,1907,s.7).

(*e*) DEPOSIT AND REMOVAL OF RUBBISH AND OFFENSIVE MATTER.

Places for deposit, and directions for removal, of rubbish, offensive matter and carcasses of animals	,,	ss.114,117.
Disposal of carcasses of animals; penalty	,,	s.117.

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Municipal Fund applicable to construction, etc., of public drains, latrines and cesspools	,,	s.53(*2*)(*a*).
Provision of drain, privy or cesspool	,,	s.90(*1*).
Provision and maintenance of latrines and urinals for workmen	,,	s.90(*2*).
Shutting out of privy from view, etc.	,,	s.90(*3*).
Repair, cleansing, etc., of privy, drain or cesspool; closing of cesspool; connection of drain	,,	s.91(*1*).
Removal of privy, drain or cesspool	,,	s.91(*2*).
Unauthorised building over sewer or drain vested in Committee	,,	s.92.
Removal or closing of drain, latrine, urinal, cesspool or other receptacle near source of water-supply	,,	s.93.

MUNICIPALITY—*contd.*

XVII.—UNITED PROVINCES—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH—*contd.*

Penalty for unlawfully placing earth, materials or offensive matter in public sewer or drain or into drain communicating therewith	U.P.Act1,1900,	s.155.
„ unlawfully discharging sewage into drain	„	s.156.
„ failing to remove offensive matter, or not keeping same in proper receptacle, or keeping receptacle in filthy state	„	s.157.
„ making or altering drain without proper authority	„	s.158.
„ unlawfully altering, obstructing or encroaching on drain	„	s.168.
Power to extend U. P., Act 3, 1894, to municipality	U.P.,Act3,1894,	ss.5,6.
Municipal Authority to carry out system of sewerage and drainage at cost of Municipal Fund	„	s.7.
Public streams and other property vested in Municipal Authority or placed under its control	„	ss.8,9.
Powers of Municipal Authority for making and maintaining drains	„	ss.10to17.
Private drains to be cleansed, etc., by owner or occupier of premises	„	s.18.
Connection of private with municipal and other private drains	„	ss.19to21.
Removal or provision of drains, privies, cesspools or other receptacles for filth	„	s.22(*1*).
Provision of latrines and urinals for workmen	„	s.22(*2*).
Protection of privy from view, etc.	„	s.22(*3*).
Alteration. repair or demolition of drains, privies, latrines, urinals or cesspools	„	s.23.
Removal of drain, privy, latrine, urinal, cesspool, or other receptacle for filth or refuse from vicinity of source of public water-supply	„	s.24.
Separate drains for polluted and unpolluted water	„	s.25.
Cleansing, etc., of injurious or offensive tank, etc.	„	s.26.
Removal of projections over and obstructions to municipal drain	„	s.27.
Deduction from rent of sums paid by occupier for which owner is liable	„	s.28.
Municipal Authority to regularly inspect drains, etc.	„	s.29.
Powers of Municipal Authority for entry and inspection of premises	„	ss.30to32.
Power of Local Government to make rules as to drainage	„	ss.33,35.
„ Municipal Authority to make rules as to drainage, receptacles for filth and appointment of agents by absentee owners	„	ss.34,35.
Penalty for making unauthorised connection with Municipal drain	„	s.36.
„ disobedience to orders of Municipal Authority	„	s.37.
„ obstructing Municipal employé	„	s.38.

MUNICIPALITY—*contd.*

XVII.—UNITED PROVINCES—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*f*) DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH—*concld.*

Acquisition of land for Municipal Authority for purposes of drainage, etc.	U.P.Act3,1894,s.39.
Notices; provisions as to	,, s.40.
Execution of work by Municipal Authority in default of person to whom notice given, and recovery of cost	,, ss.40(*3*),1.
Power of Municipal Authority to pay compensation out of Municipal Fund	,, s.42.
Appeal by Railway-administration to Government against order of Municipal Authority	,, s.43.
Authority for instituting prosecutions	,, s.44.
Recovery of sums due to Municipal Authority	,, s.45.
Fines to be credited to Municipal Fund	,, s.46.
Delegation of certain powers of Municipal Authority to its members	,, s.47.
Act not to affect Indian Railways Act, 1890	,, s.4(*1*).
Ss. 22, 29, 30 of Act not to apply to factory regulated by Indian Factories Act, 1881[1]	,, s.4(*2*).

See also below, (*r*).

(*g*) SCAVENGING

"House-scavenging" defined	U.P.Act1,1900,s.95.
Power of Municipal Board to undertake house-scavenging with consent of occupier or by giving public notice; obligation to perform service once undertaken until relieved	,, ss.96,100, 101.
Obligation of occupier to accept municipal service; power to exclude any house or building	,, ss.99,97.
Sweepers; saving of customary rights of; punishment of, for negligence in performing duty	,, ss.98(*a*),102.
Agriculturists; special provisions for scavenging of houses occupied by	,, ss.98(*b*),103.

(*h*) SLAUGHTER-PLACES.

Places for slaughter of animals for sale; penalty for slaughter elsewhere	,, s.115.
,, ,, of animals not for sale; saving of cases of slaughter for religious purposes	,, s.116.
Regulation of slaughter of animal for purposes other than sale; penalty	,, s.118.
Power to make rules for inspection and regulation of slaughter-houses	,, s.128(*h*),(*i*).

See also below, (*k*).

(*i*) BATHING AND WASHING PLACES.

Establishment and regulation of	,, s.119.
Power to make rules for inspection and regulation of dhobis' ghats	,, s.128(*h*),(*i*).

[1] To be repealed on 1st July 1912: Act 12, 1911.

MUNICIPALITY—*contd.*

XVII.—UNITED PROVINCES—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*j*) WATER-SUPPLY.

Municipal Fund applicable to supply, storage and preservation of water and the construction, etc., of tanks, wells, water-courses	U.P.Act1,1900,s.53(2)(*a*),(*g*).	
Unauthorized building over water-course or water-pipe vested in Board	,,	s.92.
Removal or closing of drain, latrine, urinal, cesspool or other receptacle near source of water-supply	,,	s.93.
Cleansing, repair, covering, filling-up or draining-off of private tank, well, reservoir, pool or excavation injurious to health or offensive; provision of land or payment of compensation	,,	s.94.
Power to make rules—		
for supervision and regulation of public cisterns, wells and other sources of public water-supply; penalty	,,	ss.128(*h*)(iv), 132.
Additional power in hill municipalities to make rules for maintenance of water-supply	,,	ss.131(*a*), 132.
Power to extend U. P. Act 1, 1891, to municipality on application, and authorised construction of water-works therein	U.P.Act1,1891,ss.4to6.	
Previous sanction of Governor General in Council required to inclusion of cantonment in municipality for purposes of Act	,,	s.6.
Whole Act, except ss. 4, 5, applies to municipalities of Agra, Allahabad, Benares and Cawnpore	,,	s.3.
Obligations and general powers of Municipal Board as to providing water-supply	,,	ss.7to10.
Supply of water for domestic purposes	,,	ss.11,11A, 12to17(s.11 am.U.P.Act1, 1908,s.3).
,, ,, for other than domestic purposes	,,	s.21(am. U.P.Act1, 1908,s.4; rep.pt.,U.P. Act1,1910, s.2).
,, ,, in standpipes for gratuitous use	,,	s.18.
,, ,, for extinguishing fires and cleansing drains and streets	,,	ss.19,20.
,, ,, pressure of water	,,	s.22.
Water-rate; imposition, assessment and recovery of	,,	ss.33to35, 35Ato35C (s.35Bam. U.P.Act1, 1908,s.5).
Reciprocal rights of owners and occupiers as to supply of water to houses assessed to water-rate	,,	ss.23to32.
Power of Local Government and Municipal Board to make rules as to water-supply and water-rate	,,	ss.36to39.

MUNICIPALITY—*contd.*

XVII.—UNITED PROVINCES—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*j*) WATER-SUPPLY—*contd.*

Recovery of arrears of water-rate and other sums due under Act	U.P.Act1,1891,s.40(sub. U.P.Act1, 1910,s.3).	
Fees and charges recoverable from occupier to be payable by each of several occupiers in certain shares	,,	s.2A(ins. U.P.Act1, 1908,s.2).
Notice to be given to Municipal Board of new building and re-occupation, demolition, etc., of building	,,	ss.41,42.
Water-rate a prior charge on premises	,,	s.43.
Power to cut off water for non-payment of water dues	,,	s.44.
Offences and penalties	,,	ss.45to49.
Prosecutions by whom to be instituted	,,	s.50.

(*k*) FOOD, DRINK AND DRUGS.

Municipal Fund applicable to construction, etc., of markets	U.P.Act1,190[illegible],s.53(2)(c).	
Power to—		
inspect market or other place used for sale or storage of articles for human consumption, or as a slaughter-house, or for the sale of drugs; seize and remove or destroy articles unfit for human consumption; remove noxious or adulterated drug and bring such articles before Magistrate	,,	s.137.
Power to make rules—		
prohibiting or regulating sale of poisons	,,	s.128(*l*).
regulating preparation, manufacture, sale and transport of articles for human consumption	,,	s.130.
prohibiting sale of flesh of animals slaughtered at places not maintained or licensed by Board	,,	s.128(*j*).
for inspection and regulation of bakeries, dairies and places where milch animals are kept for profit	,,	s.128(*h*),(*i*).
for inspection and regulation of markets	,,	s.128(*h*)(*i*).
Penalties for breach of rules	,,	s.132.
Confirmation and publication of bye-laws	,,	s.133.
Disposal of flesh of animals brought within municipal limits in contravention of rules made under s.128.	,,	s.139
Penalty for feeding dairy or slaughter animals on deleterious substance	,,	s.161.
,, making or selling food when suffering from disease	,,	s.160(*a*),(*b*).

(*l*) RESTRAINT OF INFECTION.

Certain persons to give information of outbreak of cases of cholera, plague, small-pox, etc.	,,	s.124.
Prohibition of use of unwholesome water for drinking purposes, or disinfection	,,	ss.126,127.

MUNICIPALITY—*contd.*

XVII.—UNITED PROVINCES—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*l*) RESTRAINT OF INFECTION—*contd.*

Power to remove to hospital persons suffering from cholera, plague, small-pox, etc., in certain cases	U.P.Act1,1900,	ss.125,127.
Ss. 125, 127 not to apply to municipality unless specially applied	,,	s.127.
Penalty for making, selling, etc., food or washing clothes when suffering from disease	,,	s.160.

(*m*) DISPOSAL OF THE DEAD.

Power of Board to close existing burial or burning place; provision of other place for the purpose	,,	s.112(*1*),(*2*).
Permission of Board required to forming of new burial or burning place	,,	s.112(*3*).
Routes for removal of corpses	,,	s.113.
Power to make rules as to burial and burning grounds	,,	s.128(*h*) (*iii*).
Penalty for burying or burning corpse in unauthorized place; suspension of prosecution pending appeal	,,	ss.112(*4*), (*5*),153.
,, carrying corpse along prohibited route or so as to cause annoyance to public	,,	s.171.

(*n*) OFFENSIVE AND DANGEROUS TRADES.

Regulation or prohibition of; penalties; suspension of prosecution pending appeal	,,	ss.120,121, 153.
Additional powers in hill municipalities for licensing of stables or cow-houses; penalty	,,	ss.131(*c*), 132.

(*o*) PREVENTION AND EXTINCTION OF FIRE.

Power to prevent—		
use of inflammable materials in roof or external wall	,,	s.85.
stacking of collecting grass, straw, cotton, wood or other inflammable materials, or placing of mats or thatched huts, or lighting of fires, in any place	,,	s.122.
Power to regulate or prohibit trading in hay, straw, cotton, thatching grass, wood, coal, petroleum or any other explosive or inflammable material	,,	s.120.
Power to make rules for regulating the storage of petroleum or other explosive material; penalty	,,	ss.128(*k*), 132.
Additional power to make rules in hill municipalities prohibiting lighting of fires in certain cases; penalty	,,	ss.131(*b*), 132,
Establishment and maintenance of fire-brigade	,,	s.178.
Powers of members of fire-brigade and other persons for suppression of fire; such powers subject to restrictions, etc., imposed by rule	,,	ss.179,180.
Ss. 178 to 180 not to take effect till specially extended by Local Government	,,	s.181.
Power to make rules as to powers to be exercised on occasion of fire	,,	s.180.

See also below, (*r*).

MUNICIPALITY—*contd.*

XVII.—UNITED PROVINCES—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*p*) DANGEROUS ANIMALS.

Destruction or confinement of mad or stray dogs . . .	U.P.Act1,1900,s.123 (am.U.P. Act1,1907, s.6).

(*q*) HACKNEY-CARRIAGES, BOATS, JOB-HORSES, PORTERS, ETC.

Power to make rules for—	
licensing of vehicles, boats or animals, penalty . . .	,, ss.128(*d*), 132.
limiting the rates for hire of carriages, carts, boats or other conveyances, or of animals hired to carry loads, or for services of porters ; penalty.	,, s.128(*e*).
Saving for vehicles to which the Hackney-carriage Act, 1879, applies	,, s.128, proviso.
Additional power to make rules is hill municipalities relating to ; penalty	,, ss.131(*d*),(*f*), 132.

(*r*) ENTRY AND INSPECTION.

Power to enter building or land and inspect drains, privies or cesspools ; opening of ground to prevent or remove nuisance ; payment of expenses ; notice of entry .	,, s.134.
,, enter building and direct cleansing for sanitary reasons ; notice of entry	,, s.135.
,, enter building or land for making survey or valuation, for examining works under construction, for ascertaining course of sewers or drains, or for executing or repairing work ; notice of entry	,, ss.68(*1*),136.
,, enter for discovery of vehicles or animals liable to taxation	,, s.68(*2*).
,, enter and inspect building containing petroleum or other explosive or other inflammable material ; seizure and disposal of excess quantities . . .	,, s.138.
Inspection of encamping-grounds, pounds, sarais, markets, dhobis' ghats, flour-mills, slaughter-houses, livery-stables and places of public entertainment and resort	,, ss.115(*2*), 128(*h*),(*i*).
Precautions to be observed in entering dwelling . . .	,, s.140.
Penalty for obstruction	,, s.141.

See also above, (f), (k).

(*s*) TAKING OF CENSUS AND REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.

Municipal Fund applicable to	U.P.Act,1,1900,s.53(*2*)(*i*).
Power to make rules for registration of births, marriages and deaths	,, s.128(*l*).

(*t*) MISCELLANEOUS.

Municipal Fund applicable to—	
payment of cost of services rendered by Imperial or Provincial Government	,, s.53(*1*)(*d*).

MUNICIPALITY—*contd.*

XVII.—UNITED PROVINCES—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*contd.*

(*t*) MISCELLANEOUS—*contd.*

Municipal Fund applicable to—*contd.*

construction, etc., of schools, hospitals, dispensaries, educational and other institutions, rest-houses, sarais, poor-houses, encamping-grounds, recreation-grounds, gardens, parks, pounds and other works of public utility . . .
grants-in-aid to schools, hospitals, dispensaries, poor-houses, leper-asylums, etc. . . . . .
training of teachers and establishment of scholarships . .
relief and relief-works in time of famine or scarcity . . — U.P.Act1,1900,s.53(2).
planting and preservation of trees . . . . . .
public vaccination . . . . . .
sanitary measures . . . . . .
holding of fairs and industrial exhibitions . . . . .
things likely to promote safety, health, welfare or convenience of inhabitants . . . . . .
other matters, at discretion of Board and Local Government .

Public property; power to make rules for protection of . . — ,, s.128(*a*).

Encamping-grounds, halting-places, pounds, sarais and places of public entertainment and resort; power to make rules for inspection and regulation of . . . . . — ,, s.128(*h*),(i).

Fairs, industrial exhibitions, etc.; power to make rules for holding of, etc. . . . . — ,, s.128(*h*),(ii).

Lodging-houses—

Power to apply U. P. Act 1, 1892, to municipality on application of Municipal Authority . . . . — U.P.Act1,1892,ss.3,4.
,, withdraw Act . . . . . — ,, s.13.
Power of Municipal Authority to make rules for licensing of . — ,, ss.8,9.
,, Government to cancel such rules . . . . . — ,, s.11.
Licensing of . . . . . — ,, ss.5,8.
Power of Municipal Authority—
to enter and inspect . . . . . — ,, s.6.
to direct compliance with rules made under Act, and to execute work, etc., in default of keeper, and recover cost. — ,, s.7
Penalties for breach of Act or rules . . . . . — ,, ss.5(2),9.
Fines and license-fees to be credited to Municipal Fund . . — ,, s.10.
Authority for institution of prosecution under Act . . . — ,, s.12.
Animals; penalty for keeping, so as to be nuisance . . . — U.P.Act1,1900,s.159.
Vehicles or animals; penalty for unlawful stationing of carts or picketing of animals, on ground under control of Board . — ,, s.170.
Penalty for discharging fire-arms or letting-off fire-works or fire-balloons or engaging in dangerous game . . — ,, s.164.
,, beating drum or sounding musical instrument so as to cause annoyance to public . . . . — ,, s.174.
,, suffering animals to be at large or to stray . . — ,, ss.167,170.
,, dangerous quarrying, blasting, cutting of timber or building . . . . . — ,, s.169.

MUNICIPALITY—*contd.*

XVII.—UNITED PROVINCES—*contd.*

A.—MUNICIPALITIES PROPER—*contd.*

6. The Public Health, Safety and Convenience—*concld.*

(*t*) MISCELLANEOUS—*concld.*

Penalty for soliciting for purposes of prostitution	U.P.Act1,1900,s.175.
" destroying direction-posts, lamp-posts or extinguishing light in public place	" s.172.
" begging or exposing deformity, etc., in public places	" s.173.
" not complying with notice or conditions; suspension of prosecution pending appeal	" ss.147,153.
Brothels; power to suppress; penalty	" s.176.
Hilly tracts:	
Power of Local Government to make rules regulating building-sites in	" s.187(*1*)(*ss*).
Additional power of Board to make rules for regulating or prohibiting destruction of trees, shrubs, etc., making excavations, quarrying, etc.	" s.131(*a*).
for prohibiting lighting of fires in certain cases	" s.131(*b*).
for regulating rule of the road	" s.131(*b*) (ins.U.P.Act 1,1907,s.7).
for licensing of stables, cow-houses	" s.131(*c*).
for preventing over-crowding in houses	" s.131(*cc*) (ins.U.P.Act 1,1907,s.7).
for licensing of porters, coolies and of animals, vehicles, jhampans, etc., and regulating charges for their service or hire	" s.131(*d*),(*f*).
for fixing fees and regulating grant and revocation of licenses	" s.131(*e*).
penalty for breach of rules	" s.132.

7. Supplemental.

Rules: powers for making	" ss.36,128, 129,130,131.
" penalties for breach of	" s.132.
" confirmation and publication of	" ss.36(*2*), 133(*2*),(*3*),(*4*).
" preliminary publication of	" s.133(*1*).
Notice to fix reasonable time for doing act	" s.142.
" authentication of	" s.143(*1*).
" service of	" ss.143,144, 145.
" when to be served on occupier	" s.144.
" publication of	" s.146.
" not invalid for defect of form	" s.143(*5*).
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Recovery of cost of work executed by Board in default of owner or occupier; deduction from rent of sum paid by occupier; saving of contracts	" s.149.

MUNICIPALITY—*contd.*

XVII.—UNITED PROVINCES—*concld.*

A.—MUNICIPALITIES PROPER—*concld.*

7. Supplemental—*contd.*

Compensation when payable out of Municipal Fund; application of procedure of Land Acquisition Act for settlement of disputes	U.P.Act1,1900,s.151.
See also above, 6 (*f*).	
Arrest; powers of	,, s.152(*2*).
Prosecutions by whom to be initiated	,, s.177.
Compounding for offences	,, ss.144(*l*), 154.
Appeal from order in certain cases; order not liable to be questioned otherwise; finality of orders made in appeal; suspension of action pending	,, ss.152to154.
Saving of Local Authorities Loan Act, 1879	,, s.2(*3*).
Vacancies and irregularities not to invalidate proceedings	,, ss.39,143(*5*).
Certain officers and servants of, to be deemed public servants	,, s.51.
Agents; power to make rules requiring absentee owners and of buildings or lands to appoint, for all purposes under Act	,, s.128(*i*).
Agents and trustees; relief to	,, s.150.
Transfer of public ferries to Board	Act17,1878,s.7.

B.—SMALL TOWNS GOVERNED ON MUNICIPAL LINES.

Power to notify areas, impose taxation and regulate expenditure therein, appoint a Committee and extend Municipal Regulation with modifications	U.P.Act1,1900,ss.193to 197(s.193am. U.P.Act1, 1907, s.11).

MUNSIF.

Appointment, powers, etc., of. *See* CIVIL COURTS; VILLAGE COURTS.

MURDER.

Definitions of. *See* WORDS AND PHRASES.

See also CRIMINAL LAW AND PROCEDURE (ENGLISH); CRIMINAL LAW (INDIAN), 14 (*a*); INFANTICIDE; MURDEROUS OUTRAGES.

MURDEROUS OUTRAGES.

(1) British Baluchistan and North-West Frontier: [1]

Reg. 4, 1901, extends to British Baluchistan, but any area or case or class of cases may be excepted	Reg.4,1901,s.1(*3*).
Punishment of fanatic committing or attempting murder	,, s.2.
Procedure when offence charged is not punishable under section 2	,, s.10.
Forfeiture of property and disposal of body of fanatic killed in committing or attempting murder	,, s.3.
Trial of offender; modification of Code of Criminal Procedure	,, ss.4,5.
Extent of judgment on offender	,, s.6.

[1] Reg. 4, 1901, has been extended (with modifications) to North-West Frontier by notification under Act 14, 1874.

MURDEROUS OUTRAGES—*contd.*

(1) British Baluchistan and North-West Frontier—*contd.*

Execution of sentence on offender; disposal of body on execution of sentence of death	Reg.4,1901	ss.6,7.
Application of law as to confinement for State offences	,,	ss.11,12.
Report to Local Government of proceedings in trials	,,	s.8.
Bar to appeal from orders or sentences	,,	s.9.
Power to arrest without warrant and to take security for good behaviour	,,	s.13.
Further preventive and punitive measures (fine on community or forfeiture of assignment or remission of land-revenue or allowance)	,,	s.14.
Power for Local Government to issue circular orders	,,	s.15.

(2) Punjab:

Power to apply Act 23, 1867, to any part of the Punjab	Act23,1867	s.1.
Act 23, 1867, to remain in force until Governor General in Council otherwise directs	Act9,1877	s.11.
Punishment of fanatic committing or attempting murder	Act23,1867	s.2.
Forfeiture of property of fanatic killed in committing or attempting murder	,,	s.4.
Trial of offences under Act 23, 1867; modification of Code of Criminal Procedure	,,	ss.5to7. 9,10.
Application of Code of Criminal Procedure in cases not contemplated by Act 23, 1867	,,	s.11.
Power to invest officers with jurisdiction under Act 23, 1867	,,	s.14.
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Power of Chief Court to issue circular orders for guidance of officers in cases under Act 23, 1867	,,	s.16.
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(3) By Mappillas in Malabar District:

Power to declare whole or part of Malabar district to be subject to Act, and power to withdraw such declaration	Act20,1859	ss.2,12.
Act 20, 1859, to continue in force till withdrawn by Local Government	Mad.Act7,1869	s.1.
Forfeiture of property of Mappilla committing, attempting, or abetting murder, or resisting apprehension (in addition to ordinary punishment)	Act20,1859	ss.3,4.
Disposal of bodies of offenders sentenced to death, etc.	,,	s.5.
Application of law as to State Prisoners to persons confined under Act 20, 1859	,,	s.6.
Power of District Magistrate to apprehend and confine persons pending orders under s. 6	,,	s.7.
Penalty on person conditionally liberated under s. 6 returning to India	,,	s.8.
Levy of compensation and fine from community when offence committed or when offender not surrendered	,,	ss.9,10.
Recovery of fines, etc.; indemnity to Magistrate	,,	s.11.

MURRAY TRUST ACT, 1897 (*See* ENDOWMENT, J) . . . Ben.Act2,1897.

MUSEUM. *See* INDIAN MUSEUM; PRINCE OF WALES MUSEUM.

MUSIC.

Copyright in musical compositions. *See* COPYRIGHT, 2 (*a*), 5 (*a*).

Power of police on complaint to order discontinuance of music or the blowing of horn or the sounding of noisy instruments in certain cases . . . . . (Bo.City)Bom.Act2,1904, s.23(*1*)(*f*). (Cal.)Ben.Act4,1866. s.43C(ins.Ben.Act3, 1907,s.2). (Cal.Sub.)Ben.Act2,1866, s.17C(ins.Ben.Act3, 1907,s.2).

See also NUISANCE; POLICE; STREETS, THOROUGHFARES AND PUBLIC PLACES.

MUTINY.

Validation of fines, etc., imposed, and acts done, during Mutiny; indemnity to officers . . . . . Act34,1860.

NAGA HILLS. *See* FRONTIER, A, 1.

NAMINGS. *See* REGISTRATION OF BIRTHS, ETC., A, 4.

NARANJI. *See* NORTH-WEST FRONTIER PROVINCE, 1.

NARANJI LAW AND JUSTICE REGULATION, 1903 (*See* NORTH-WEST FRONTIER PROVINCE) . . . . . Reg.1,1903.

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NATIVE CHRISTIAN ADMINISTRATION OF ESTATES ACT, 1901 [*See* ADMINISTRATION OF ESTATES (INDIAN LAW)] . Act7,1901.

NATIVE COINAGE ACT, 1876 (*See* COINAGE) . . . Act9,1876.

NATIVE CONVERTS' MARRIAGE DISSOLUTION ACT, 1866 (*See* MATRIMONIAL CAUSES, B) . . . . . Act21,1866.

NATIVE PASSENGER SHIPS ACT, 1887 (*See* CUSTOMS (SEA); MERCHANT SHIPPING, 3) . . . . . Act10,1887.

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NATIVES OF INDIA.

Definition of. *See* WORDS AND PHRASES.

Privileges of, as to employment, etc. *See* GOVERNMENT OF INDIA, 2 (*d*), 3.

NATURALIZATION ACT, 1870 (*See* ALIEN; BRITISH SUBJECT; INFANT; MARRIED WOMAN; OATH AND AFFIRMATION) . 33-4V.c.14.

NATURALIZATION ACT, 1872 (*See* ALIEN; BRITISH SUBJECT; MARRIED WOMAN) . . . . . 35-6V.c.39.

NATURALIZATION ACT, 1895 (*See* ALIEN; BRITISH SUBJECT; INFANT) . . . . . 58-9V.c.43.

NATURALIZATION OATH ACT, 1870 (*See* ALIEN; BRITISH SUBJECT; OATH AND AFFIRMATION) . . . . . 33-4V.c.102.

NAVAL DESERTERS ACT, 1847 (*See* NAVY) . . . 10,11V.c.62.

NAVAL DISCIPLINE ACT (*See* ARMY; DEBT; MERCHANT SHIPPING; NAVY; PRIZE) . . . . . 29-30V.c.109.

NAVAL DISCIPLINE ACT, 1884 (*See* NAVY) . . . 47-8V.c.39.

" " " 1909 (*See* NAVY) . . . . 9Edw.7,c.41.

NAVAL ESTABLISHMENTS IN BRITISH POSSESSIONS ACT, 1909 (*See* NAVY) . . . . . 9Edw.7,c.18.

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NAVIGATION.

Regulation of navigation and traffic is narrow and dangerous waters of the Irrawaddy (Upper Burma) . . . . Bur.Act8,1907.

NAVY.

1809. 49 G. 3, c. 126 (Sale, etc., of commissions).
1834. 4-5 W. 4, c. 24, ss. 21, 25 (Half-pay, etc.).
1847. 10-1 V. c. 62 (Deserters).
1850. 13-4 V. c. 26 (Engagements with Pirates).
1866. 29-30 V. c. 109 (Naval Discipline).
1881. 44-5 V. c. 58, s. 186 (Land Forces).
1884. 47-8 V. c. 39 (Naval Discipline).
1894. 57-8 V. c. 45, s. 3 (Uniform).
1894. 57-8 V. c. 60, ss. 181, 195 to 197, 557 to 564 (Merchant Shipping).
1909. 9 Edw. 7, c. 18 (Naval Establishments).
„ 9 Edw. 7 c. 14 (Discipline).

1. Command and Officers.
2. Entry and Service.
3. Discipline.
4. Pay, Pension, Prize Money, etc., and Effects.
5. Miscellaneous.

1. Command and Officers.

Penalties for buying or selling, or negotiating purchase, etc., of commissions . . . . . 49G.3,c.126.

2. Entry and Service.

Liability to serve on fraudulent confession of desertion . . 10-1V.c.62,s.10.
„ „ on release after arrest. *See below*, 5 (*b*).
Volunteering by merchant seamen . . . . . 57-8V.c.60,ss.195to197.
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3. Discipline.

(*a*) PERSONS SUBJECT TO DISCIPLINE.

Application of naval discipline to—
persons in navy borne on books of ship in commission . 29-30V.c.109,s.87.
land and auxiliary forces, when embarked on board ship in commission, as directed by Order in Council . . . „ s.88. 44-5V.c.58,s.186.
other persons on board, under regulations of Admiralty . . 29-30V.c.109,s.89.
persons borne on books of hired ship in time of war . . „ s.90.
Provisions as to discipline of land and auxiliary forces on board ship. *See* ARMY, 4 (*e*).

(*b*) DUTIES AND OFFENCES.

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Mutiny, and offences connected therewith . . . . „ ss.10to15.
Civilian on board ship seducing from allegiance or inciting to mutiny [*see also below*, 5 (*b*)] . . . . . „ s.13.

NAVY—*contd.*

3. Discipline—*contd.*

(*b*) Duties and Offences—*contd.*

Person subject to military law causing or inciting to mutiny, etc. *See* Army, 4 (*b*).

Violence, disobedience, etc., to superior officer . . . . . 29-30V.c.109,ss.16,17.

Quarrelling, using reproachful speech, etc. . . . . ,, s.18.

Desertion, inducing to desert, harbouring deserter from military or naval forces [*see also below*, 5 (*b*)], improperly leaving ship, absence without leave . . . . . ,, ss 19to24, 9Edw.7, c.41.

Fraudulent confession of desertion. *See below*, 5 (*b*).

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Cruelty, or scandalous, etc., conduct of officer . . . . . ,, s.28.

Improperly losing ship . . . . . ,, s.29.

Offences as to ships under convoy . . . . . ,, s.30.

Power to compel obedience by master of ship under convoy . ,, s.31.

Taking goods on board, except for use, or specie, jewels, wreck, etc. . . . . ,, s.32.

Wasting or embezzling stores, or permitting waste, etc. . . ,, s.33.

Burning dockyard, magazine, stores, or ship not belonging to enemy . . . . . ,, ss.34,49.

Making or signing false musters or records . . . . . ,, s.35.

Producing or feigning disease, etc. . . . . ,, s.36.

Complaints, how to be made and redressed; penalty for attempting to stir up disturbance . . . . . ,, s.37.

Delivery of papers on prize ship to prize court [*see also* Prize, 2 (*c*), (*f*)] . . . . . ,, s.38.

Offences in relation to prize ship or goods, or ship detained under belligerent rights, or piracy, slave trade, or Customs Acts [*see also* Prize, 2 (*f*)] . . . . . ,, ss.39to42.

Acts to prejudice of order and discipline . . . . . ,, s.43.

Homicide, and other offences punishable by ordinary law . . ,, s.45.

Offences by civilians, or punishable civilly. *See below*, 5 (*b*).

(*c*) Loss, etc., of ship [*see above*, (*b*), *and below* (*d*)].

Ship wrecked, lost, destroyed, or taken, deemed to remain in commission till officers and crew transferred or tried . . ,, s.91.

Continuance of senior officer in command when ship lost; distribution of crew among other ships . . . . . ,, s.90.

(*d*) Trial and Punishment.

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Arrest; penalty for not assisting . . . . . ,, ss.50,51.

Apprehension, etc., of suspected deserters. *See below*, 5 (*b*).

Limitation of time for trials . . . . . ,, s.54.

Trial by court-martial or commanding officer . . . . . ,, s.56, 47-8V.c.39,ss.1,8. 9Edw.7,c.41,s.1,Sch.

,, of offences committed by persons borne on books of ship hired in time of war . . . . . 29-30V.c.109,s.90.

NAVY—*contd.*

3. Discipline—*concld.*

(*d*) Trial and Punishment—*contd.*

Courts-martial on officers and crew of ship wrecked, lost, destroyed, or taken	29-30V.c.109,ss.92,93.
,, for offences subsequent to wreck, etc.	,, s.94.
,, holding and constitution of	,, ss.58,90. 47-8V.c.39,s.2. 9Edw.7,c.41,s.1,Sch.
Place and time of sitting; attendance of members	29-30V.c.109,ss.59,60.
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Imprisonment or detention not to exceed two years	47-8V.c.39,s.4. 9Edw.7,c.41.
Execution of sentence of penal servitude	29-30V.c.109,s.72. 47-8V.c.39,s.3. 9Edw.7,c.41.
Imprisonment; removal of prisoners	29-30V.c.109,ss.74to76. 47-8V.c.39,s.5.
Discharge or delivery to naval custody	29-30V.c.109,ss.78,79.
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Naval prisons or detention quarters, appointment and regulation of	,, s.81. 47-8V.c.39,s.6. 9Edw.7,c.41.
,, ,, aiding escape from, conveying spirits, tobacco, etc., into, or obstructing officers of	29-30V.c.109,s.82. 9Edw.7,c.41.
Offences by gaolers, etc. [*see also below*, 5 (*b*)]	29-30V.c.109,s.83. 9Edw.7,c.41.

NAVY—*contd.*

4. Pay, Pension, Prize Money, etc., and Effects.

(*a*) Pay, Pensions, and Allowances.

Continuance of pay of crew of ship wrecked, etc.	29-30V.c.109,s.95.
Payment of reward for apprehension of deserter out of wages	10-1V.c.62,s.9.
Half-pay or allowances not affected by Superannuation Acts	4-5W.4,c.24,s.21.
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(*b*) Salvage, Bounty Money, Prize Money.

Salvage by Her Majesty's ship; procedure for adjudication upon claim with consent of Admiralty	57-8V.c.60,ss.557to564.
Condemnation of ships, etc., taken from pirates; salvage on property recovered	13-4V.c.26.
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Prize, prize salvage, and prize bounty. *See* Prize, 2.	

(*c*) Forfeiture of Pay, etc.

On desertion, etc.	29-30V.c.109,ss.19,22,23, 52,53. 9Edw.7,c.41.
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(*d*) Decorations.

Forfeiture of, on desertion	,, s.19.
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(*e*) Disposal of Money and Effects on Death

Disposal of effects of invalided or discharged seaman sent home in merchant ship, and dying on voyage	57-8V.c.60,s.181.

5. Miscellaneous.

(*a*) Privileges and Exemptions.

Restriction on arrest of seaman or marine for debt	29-30V.c.109,ss.97,98.

(*b*) Civil Liabilities, Duties of, and Offences by, Civilians.

Liability to serve, or punishment, on fraudulent confession of desertion by man delivering himself up, or by man serving in other forces or embodied militia, or apprehended for offence [*see also* Army, 4 (*b*)]	10-1V.c.62,s.10.
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Reparation by officer for offence as to ship under convoy; jurisdiction of Admiralty Division	,, s.30.
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NAVY—*contd.*

5. Miscellaneous—*contd.*

(*b*) Civil Liabilities, Duties of, and Offences by, Civilians—*contd.*

Bringing contempt on naval uniform . . . . . 57-8V.c.45,s.3.
Fraudulent representation on entering navy. *See above*, 2.
Trafficking in commissions. *See above*, 1.

(*c*) Miscellaneous Provisions.

Construction and printing of Naval Discipline Act as amended . 47-8V.c.39,s.7. 9Edw.7,c.41,s.2.
Power to transfer naval stores, yards, magazine and other property in any British possession to the Governor . . . 9Edw.7,c.18.
Confirmation of certain marriages on board H. M.'s ships. *See* Marriage, 1, 1 (*b*).
Naval Courts under Merchant Shipping Acts. *See* Merchant Shipping, 2 (*g*), 7 (*c*), 11 (*a*).
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NAWAB NAZIM'S DEBTS ACT, 1873 . . . . . Act17,1873.
NEGOTIABLE INSTRUMENTS ACT, 1881 (*See* Negotiable Instrument) . . . . . Act26,1881.
" " " 1885 . . . . . Act2,1885.
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NEGOTIABLE INSTRUMENT.

1. Preliminary.

Act 26, 1881, extends to whole of British India . . . . Act26,1881,s.1.
" " declared in force in Upper Burma (except the Shan States) . . . . . Act13,1898,s.4,Sch.1.
" " when to supersede local usage in case of instruments in Oriental language . . . . Act26,1881,s.1.
Act 2, 1885, and Act 6, 1897 (amending Act 26, 1881), declared in force in Upper Burma (except the Shan States) . . . Act13,1898,s.4,Sch.1 (note).

2. Form and Interpretation.

Definitions and requisites . . . . . Act26,1881,ss.3to16,21,22.
Instrument construable as promissory note or bill of exchange at option . . . . . " s.17.
Where amount stated differently in figures and words, latter to prevail . . . . . " s.18.
When payable on demand . . . . . " s.19.
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Time of payment; days of grace; "month"; provision as to public holidays . . . . . " ss.22to25.

3. Parties.

Capacity, rights, duties and liabilities of . . . . . " ss.26to45,45A.
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" " legal representative of deceased person . . . " s.29.
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NEGOTIABLE INSTRUMENT—*contd.*

4. Consideration.

Liability where consideration absent or fails	Act26,1881,	ss.43to45.

5. Negotiation.

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Protest for non-payment, non-acceptance or better security—		
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NEGOTIABLE INSTRUMENT—*concld.*

9. Acceptance and payment for honour and reference in case of need.

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" " declaration to be made by acceptor . . " s.109.
" " for whose honour made . . . . " s.110.
" " liability and rights of acceptor . . " ss.111,112.
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10. Miscellaneous.

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Printing presses; power to make order of forfeiture of . . " s.3.
Ex parte order of attachment of, in emergency . . . . " s.3(3).
Seizure of property forfeited or attached . . . . " s.4.
Appeal: bar to other proceedings in respect of order under s. 3 . " ss.5,6.
Annulment of declaration under Act 25, 1867: prohibition of further declaration . . . . . " s.7.
Penalty for publication of prohibited newspaper . . . . " s.8.
Act 5, 1898, to apply to proceedings under Act . . . " s.9.
Saving of prosecution under other law . . . . . " s.10.

NEWSPAPERS (INCITEMENTS TO OFFENCES) ACT, 1908 [*See* CRIMINAL PROCEDURE (INDIAN); NEWSPAPER] . Act7,1908.

NICOBAR ISLANDS. *See* ANDAMAN AND NICOBAR ISLANDS.

NILGIRIS GAME AND FISH PRESERVATION ACT, 1879 (*See* FISHERY, 5) . . . . . Mad.Act2,1879.

NON-BAILABLE OFFENCE DEFINED. See WORDS AND PHRASES.

NON-COGNIZABLE CASE AND NON-COGNIZABLE OFFENCE DEFINED. *See* WORDS AND PHRASES.

NORTH CACHAR. *See* FRONTIER, A. 1.

NORTH-WEST BORDER MILITARY POLICE ACT, 1904 (*See* POLICE, IV) . . . . . Act4,1904.

NORTH-WEST FRONTIER PROVINCE COURT OF WARDS REGULATION, 1904 (*See* COURT OF WARDS, G) . Reg.5,1904.

NORTH-WEST FRONTIER PROVINCE LAW AND JUSTICE REGULATION, 1901 [*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES, 1; ALLUVION AND DILUVION; CANTONMENT; CHIEF COURT OF THE PUNJAB; CIVIL COURTS, XIII, XIV; CIVIL PROCEDURE, 12; CRIMINAL PROCEDURE (INDIAN); DESIGNS; EXCISE; FERRY; FRONTIER; GAZETTE; INVENTION; LANDLORD AND TENANT, XI; LAND-REVENUE, XV; LEGAL PRACTITIONER; MATRIMONIAL CAUSES; MORTGAGE; MUNICIPALITY, XVI; NORTH-WEST FRONTIER PROVINCE; POLICE, I; PUNJAB; SEAL; SMALL CAUSE COURT, B; STAMPS; STATE OFFENCES; STATE PRISONER; TRUST, B.) . . . . . Reg.7,1901.

NORTH-WEST FRONTIER PROVINCE LAW AND JUSTICE (AMENDMENT) REGULATION, 1906 . . . . . Reg.1,1906.

NORTH-WEST FRONTIER PROVINCE LAW AND JUSTICE (AMENDMENT) REGULATION, 1909 . . . . . Reg.2,1909.

NORTH-WEST FRONTIER PROVINCE PRE-EMPTION REGULATION, 1906. (*See* CANTONMENT; NORTH-WEST FRONTIER PROVINCE) . . . . . Reg.2,1906.

NORTH-WEST FRONTIER PROVINCE.

1. Laws, etc.

Modification of certain enactments in their application to North-West Frontier . . . . . Reg.7,1901,s.3,Sch.1.

Certain Bengal Regulations declared in force (with modifications) to the exclusion of all others . . . . . ,, s.4,Sch.2.

Rules of 1855 relating to hill districts declared in force . . . ,, s.4,Sch.2.

Construction of certain references in enactments in force in North-West Frontier . . . . . ,, s.6.

Power of Courts to construe enactments, etc., with necessary alterations not affecting the substance . . . . . ,, s.7.

Naranji, Reg. 7, 1901, and all laws, etc., in force in Kulachi Tahsil to apply to village of . . . . . Reg.1,1903.

2. Civil Justice.

Law to be administered: validation of customs . . . . Reg.7,1901,ss.27to29.

Continuance of rules of descent declared by Government in case of families of assignees of land-revenue; annexing of conditions to assignments . . . . . ,, ss.30to33.

Limitation for certain suits relating to alienation of ancestral land . . . . . P.Act1,1904.

3. Pre-emption.

Punjab Act 2,1905, declared to be in force in (with modification) [Reg.2,1906,s.2,Sch.

(For Punjab Act 2, 1905, *see* PUNJAB, 3.)

NORTH-WEST FRONTIER PROVINCE—*contd.*

4. Criminal Law and Police.

Power of Appellate Court to enhance punishment . . . Reg.7,1901,s.11.
Power of Judicial Commissioner to direct transfer or commitment of criminal cases to his Court . . . . . ,, s.12.
Saving of provisions relating to European British subjects . ,, s.10.
North-West Frontier Province declared a general police-district under Act 5, 1861 ; powers exercisable by police-officer . ,, s.13.
Power to confer police-powers on any person . . . . ,, s.13(3).
Power to establish system of village-watchmen or municipal watchmen and make rules as to appointment, duties, powers, etc., of such watchmen . . . . . ,, s.14.
Power to impose tax to meet expenses of watchmen . . . ,, s.14(*j*)(*k*).
Obligation to assist watchmen and headmen ; penalty for obstructing them . . . . . ,, s.15.
Power to charge police enrolled under Act 5, 1861, with duties of watch and ward, etc., and to impose tax to meet expenses ; procedure for imposing and collecting such tax . . . ,, ss.16,17.
Tracking offenders . . . . . ,, s.18.
Regulation of entry into city or town of band of armed men or foreign vagrants . . . . . ,, ss.20to22.
Penalty for village-community failing to provide for naubati chaukidari service. *See also* POLICE, IV, E. . . Reg.3,1901,s.35. Reg.7,1901,s.3,Sch.

5. Miscellaneous.

Slaughter of kine and sale of beef prohibitied except under rules made by Local Government . . . . . ,, s.19.
Control over crossing of rivers or streams on buoys or inflated skins . . . . . ,, s.23.
Control over use of pasturage or other natural product of Government land . . . . . ,, s.24.
Power of Local Government to determine authority by which a statutory power shall be exercised in case of doubt . . Reg.7,1901,s.8.
Power to make rules and provide penalty for breach . . . ,, ss.25,26.

NORTH-WESTERN PROVINCES AND OUDH.
Designation altered to United Provinces of Agra and Oudh . Act7,1902.

NORTH-WESTERN RAILWAY. *See* RAILWAY, 10.

NORTHERN INDIA CANAL AND DRAINAGE ACT, 1873 (*See* CANALS ; DRAINAGE IV ; IRRIGATION, V) . . . . . Act8,1873.

NORTHERN INDIA CANAL AND DRAINAGE (AMENDMENT) ACT, 1899 . . . . . Act16,1899.

NORTHERN INDIA FERRIES ACT, 1878 (*See* FERRY ; LOCAL SELF-GOVERNMENT ; MUNICIPALITY) . . . . . Act17,1878.

NORTHERN INDIA FERRIES (AMENDMENT) ACT,1886 . Act,3,1886.

NOTARY PUBLIC. *See* NEGOTIABLE INSTRUMENT, 8, 10.

NOTIFICATIONS.
General provisions as to. *See* ACTS AND REGULATIONS, 1.

NUGUR.
Laws to be in force in taluqa of, on transfer to Madras Presidency : pending proceedings . . . . . Reg.1,1909,ss.2,3,5.
Levy of certain cesses in . . . . . ,, s.4.

NUGUR, ALBAKA AND CHERLA LAWS AND CESSES REGULATION, 1909 (*See* ALBAKA; CENTRAL PROVINCES; CHERLA; NUGUR) . . . . . Reg.1,1909.

NUISANCE.

1853. Act 11 (Bombay Harbour, etc.).
1855. Act 22 (Repeal).
1856. Act 20, s. 52 (Chaukidars).
1857. Act 21, ss. 20 to 23 (Howrah).
1861. Act 5, s. 34 (Police).
1866. Ben. Act 2, ss. 40, 41, 41A (Police, Calcutta Suburbs).
„ Ben. Act 4, ss. 66, 68, 68A, 68B, 70 (Police, Calcutta).
1867. Bom. Act 7, ss. 33, 34 (Police, Bombay Districts).
1888. Mad. Act 3, ss. 71 to 75 (Police, Madras City).
1889. Bom. Act 1, s. 3 (Village Sanitation, Bombay).
„ Mad. Act 3, ss. 3, 4, 8 (Nuisances, Madras Towns).
1890. Bom. Act 4, ss. 38, 39, 40, 50, 61, 65, 66 (Police, Bombay Districts).
1899. Bur. Act 4, ss. 41 to 43D (Police, Rangoon).
1900. Reg. 7, ss. 12, 13 (Aden, Settlement).
1902. Bom. Act 4, ss. 22, 118 to 125 (Police, Bombay City).
1910. Act 15, s. 10 (Cantonments).

Definitions of. *See* WORDS AND PHRASES.

Penalties for certain nuisances in streets, etc. (*see also* POLICE; STREETS, THOROUGHFARES AND PUBLIC PLACES).

generally . . . . . Act5,1861,s.34.
in cantonments . . . . . Act15,1910,s.10(2).
in Calcutta . . . . . Ben.Act4,1866,ss.66(am. Ben.Act3,1907,s.7; Ben. Act3,1910,ss.17, 34)68,68A,68B,70(am. Ben.Act3,1910,s.34).
in suburbs of Calcutta . . . . . Ben.Act2,1866,ss.40(am. Ben.Act3,1907, Ben.Act3,1910,ss.17, 34),41,41A.
in Howrah . . . . . Act21,1857,ss.20to23.
in certain towns in Madras Presidency . . . . . Mad.Act3,1889,ss.1,3,4,8.
in Madras City . . . . . Mad.Act3,1888,ss.71to75 (s.71rep.pt.Mad.Act4, 1905,s.2).
in Bombay Town . . . . . Bom.Act4,1902,ss.118to 125.
in Bombay districts . . . . . Bom.Act7,1867,s.33. Bom.Act4,1890,s.61.
in Rangoon . . . . . Bur.Act4,1899,ss.41t. 43D(ss.41A,43Ato43D, ins.Bur.Act4,1907).

Power to make rules for the prevention of, in Aden . . . Reg.7,1900,ss.12,13.

See also POLICE; STREETS, THOROUGHFARES AND PUBLIC PLACES.

Powers of Collector of Bombay for removal of nuisance, obstruction or encroachment in Bombay harbour or on shores of Bombay and Kolaba islands; appeal to High Court . . (Bom.)Act11,1853.

Act 11, 1853, repealed as to removal of obstruction, impediment or public nuisance affecting or likely to affect navigation in port of Bombay . . . . . („)Act22,1855.

NUISANCE—*contd.*

Power of Magistrate to make rules or orders for prevention or regulation of various acts which might cause a nuisance; penalties . . . . . Bom.Act7,1867,ss.33,34. Bom.Act4,1890,ss.39,40, 50,65,66.

Bom. Act 7, 1867, ss. 33, 34, to cease to have operation in villages in which Part II or Part III of the Bombay Village Sanitation Act, 1889, and rules thereunder are in force . . . . Bom.Act1,1889,s.3.

Power of Commissioner of Police to make rules for blasting rocks; penalty for breach of rules . . . . . (Bom.Town)Bom.Act4, 1902,s.22(*1*)(*f*),(*v*).

Power of Local Government to issue order in urgent cases for abatement of nuisance . . . . . Bom.Act4,1890,s.38.

Chaukidars to prevent . . . . . Act20,1856,s.52.

Public; definition and punishment of, under Indian Penal Code. *See* CRIMINAL LAW (INDIAN), 12.

,, removal of, under Code of Criminal Procedure. *See* CRIMINAL PROCEDURE (INDIAN), 6 (*c*).

Control over commission of, in municipalities:

See under MUNICIPALITY, *sub-heading* "The Public Health, Safety and Convenience."

OATH; definitions of. *See* WORDS AND PHRASES.

OATHS ACT (INDIAN), 1873 . . . . . Act,10,1873.

OATH AND AFFIRMATION.

Act 10, 1873, extends to whole of British India and, as regards subjects of Her Majesty, to Native States . . Act10,1873,s.1.

,, ,, declared in force in—

the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

the Arakan Hill District . . . . Reg.9,1874,s.3.

Upper Burma (except the Shan States) . . Act13,1898,s.4,Sch.1.

British Baluchistan . . . . . Reg. 1,1890,s.3.

Angul District (with an exception) . . . Reg.1,1894,s.3.

,, ,, not to apply to proceedings before Court-martial or to oaths prescribed by certain Statutes . Act10,1873,s.3.

What Courts and persons authorised to administer . . . ,, s.4.

Power of Civil Court to require oath or affirmation . . . (Mad.)Act3,1873,s.15.

Under Indian Companies Act, 1882 . . . . . Act6,1882,s.172.

Who to administer, under Code of Civil Procedure . . . Act5,1908,s.139,sch.1,0. 19.

Administration of, in Angul . . . . . Reg.1,1894,s.59.

Under Insolvency Act . . . . . Act3,1909,ss.78,117.

Oath of allegiance on re-admission to British nationality . . 33-4V.c.14,ss.8,9. 33-4V.c.102,s.1.

Oath on consecration of Bishop . . . . . 37-8V.c.77,s.12.

Oath or affirmation must be made by witnesses, interpreters and jurors . . . . . Act10,1873,ss.5,6.

Penalty for refusing to make oath or affirmation, etc. . . Act45,1860,ss.178,181.

Forms of . . . . . Act10,1873,ss.7to12.

Proceedings and evidence not invalidated by omission of, or by irregularity in form of, oath or affirmation . . . . ,, s.13.

Persons giving evidence before Court or person administering oath or affirmation, bound to state the truth . . . ,, s.14.

On taking office; abolition of . . . . . ,, s.15.

English law as to. *See also* AFFIDAVIT.

OBSCENITY.

Punishment for. *See* CRIMINAL LAW (INDIAN), 12.

OBSTRUCTIONS IN FAIRWAYS ACT, 1881. (*See* FAIRWAYS) Act16,1881.

OFFENCE; definitions of. *See* WORDS AND PHRASES.

OFFENSIVE AND DANGEROUS TRADES.

Control over exercise of, in municipalities:

See under MUNICIPALITY (*sub-heading*, "THE PUBLIC HEALTH, SAFETY AND CONVENIENCE.")

OFFENSIVE MATTER.

Removal of. *See cross-references from* RUBBISH AND OFFENSIVE MATTER.

OFFICER.

Definitions of., *See* WORDS AND PHRASES.
See also PUBLIC OFFICER.

OFFICIAL ASSIGNEE. *See* INSOLVENCY, A, 3 (*a*).

OFFICIAL GAZETTES ACT, 1863. (*See* GAZETTE) . . . Act31,1863.

OFFICIAL SECRETS ACT, 1889 . . . . . 52-3V.c.52.

" " " (INDIAN), 1889 . . . . Act15,1889.

OFFICIAL SECRETS.

1889. 52-3 V, c. 52 (Official Secrets).
" Act 15 (Official Secrets).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1896. Act 2, s. 17 (Cotton Goods).
1898. Act 13. s. 4 (Laws, Burma).
1901. Act 8, s. 8 (Mines)

Penalty for wrongfully obtaining or seeking information in fortress, arsenal, etc., or taking sketch or plan of fortress, arsenal, etc. . . . . 52-3V.c.52,s.1. Act15,1889,s.3.

" " unauthorised communication of sketch, plan, etc. .

" " committing above offences with intent to communicate to foreign State . . . . . 52-3V.c.52,s.1(3). Act15,1889,s.3(3).

" " breach of official trust by official contractor, or employé . . . . . 52-3V.c.52,s.2. Act15,1889,s.4.

" " inciting to commit offence under Act . . . 52-3V.c.52,s.3.

Prosecution: expenses of . . . . . " s.4.

" restrictions on . . . . . " s.7. Act15,1889,s.5.

Presumptions . . . . . " s.3(2).

Power to arrest without warrant; procedure on arrest . . " s.6.

Certain offences declared cognizable; all other offences non-cognizable: bail . . . . . " s.5.

Power to suspend 52-3 V. c 52 in British Possession where similar law obtains . . . . . 52-3V.c.52,s.5.

Extent of Act . . . . . " s.6(7) Act15,1889,s.1.

Act 15, 1889, declared in force in British Baluchistan . . Reg.1,1890,s.3.

" " " in Upper Burma except the Shan States . Act13,1898,s.4,Sch.1.

Court for trial venue . . . . . 52-3V.c.52,s.6.

Definitions . . . . . " s.8. Act,15,1889,s.2.

OFFICIAL SECRETS—*contd.*

Information acquired on inspection of cotton-mill deemed an official secret; s. 4, but not s. 5, of Act 15, 1889, to apply . . . Act2,1896,s.17.

Information acquired in respect of mines; deemed confidential; disclosure punishable under Act 15, 1889, s. 4 . . . . Act8,1901,s.8.

OFFICIAL TRUSTEES ACT, 1864. (*See* ADMINISTRATOR GENERAL; OFFICIAL TRUSTEE) . . . . . Act17,1864.

OFFICIAL TRUSTEE.

1850. Act 12 (Public Accountants).
1864. Act 17 (Official Trustees).
1874. Act 2, s. 32 (Administrator General).
,, Act 3, s. 6 (Married Women's Property).
1882. Act 2, ss. 50, 73 (Trusts).
1890. Act 2 (Official Trustees).
,, Act 6, s. 15 (Charitable Endowments).
1902. Act 5 (Administrator General and Official Trustee).
1908. Act 16, s. 88 (Registration).

1. The Office of Official Trustee.
2. Rights, Powers, Duties and Commission.
3. Accounts and Schedules.
4. Miscellaneous.

1. The Office of Official Trustee.

Official-Trustee to be appointed for each of the Presidencies of Bengal, Madras and Bombay . . . . . Act 17,1864,s.4.

Application of definitions contained in Administrator General's Act of "Presidency of Bengal," "Presidency of Madras" and "Presidency of Bombay . . . . . ,, s.2.

Power to divide Presidency of Bengal into provinces and appoint an Official Trustee for each; consequences to ensue thereupon ,, s.34.

Government to appoint, suspend, or remove Official Trustee . ,, s.5.

Administrator General eligible for office . . . . . ,, s.6.

Deputy Administrator General, where Administrator General is Official Trustee, may discharge functions of . . . . Act5,1902,s.2(*1*).

Existing Official Trustees deemed appointed under Act 17, 1864, as amended by Act 2, 1890 . . . . . Act2,1890,s.8.

Security to be given by Official Trustee . . . . . Act12,1850 Act17,1864,s.6.

Recovery of defalcations from Official Trustee . . . . Act12,1850.

Leave of absence to Official Trustee; appointment and position of successor . . . . . Act17,1864,s.7.

Liability of Government for acts of, when remunerated by salary Act5,1902,s.3(*2*),(*3*).

2. Rights, Powers, Duties and Commission.

When Administrator General is Official Trustee and is paid by salary, commission or other remuneration received by Official Trustee to be credited to Government . . . . . Act5,1902,s.3(*1*).

Official Trustee may be appointed trustee of settlement by grantor; his remuneration . . . . . Act17,1864,ss.8,9.

,, ,, may in certain cases be appointed trustee by order of Court; his commission . . . . . Act17,1864,ss.10,11 Act2,1882,s.73.

,, ,, may be appointed by Administrator General to be trustee of assets vested in latter; his commission . . . . . Act2,1874,s.32.

Payment to Official Trustee of sum secured by insurance on life of husband for benefit of wife and children . . . . . Act3,1874,s.6.

OFFICIAL TRUSTEE—*contd.*

2. Rights, Powers, Duties and Commission—*contd.*

Gift or legacy to which infant or lunatic entitled may be transferred to Official Trustee . . . . . Act17,1864,s.32.
Official Trustee to pay expenses of his establishment and other charges; his commission what to cover . . . . . „ s.12.
Power of Administrator General as Official Trustee to incur expenditure for certain purposes . . . . . Act5,1902,s.7.
Prohibition in Trusts Act, 1882, against trustee charging for services does not apply to Official Trustee . . . . . Act2,1882,s.50.
Official Trustee to be sole trustee . . . . . Act17,1864,s.13.
Orders of appointment to be made *ex officio* . . . . . „ s.17.
Investment of trust-moneys . . . . . „ ss.14,20.
Orders by High Court as to trust-property; re-transfer of trust-property . . . . . „ ss.15,16.
Power of High Court to give general or special directions where Administrator General is Official Trustee . . . . . Act5,1902,s.5(*1*).
Vesting of property, etc., in successor of Official Trustee . . Act17,1864,s.17.
Suits, etc., by or against Official Trustee to be brought in name of office; not to abate by his death, resignation or removal . „ s.18.

3. Accounts and Schedules.

Separate accounts to be kept for each trust, and to be open to inspection . . . . . „ s.19.
Official Trustee to furnish yearly schedules for each trust and list of securities; order of Chief Justice required for inspecting or taking copies of schedules . . . . . „ s.22.
Power of Chief Justice to require additional accounts to be kept „ s.20.
Appointment of auditors by Chief Justice . . . . . „ s.23.
Duties and powers of auditors, and procedure when irregularities disclosed; payment of costs . . . . . „ ss.24 to 29.
Settlement and payment of costs of preparing schedules and accounts, etc. . . . . „ s.26.

4. Miscellaneous.

Punishment for neglecting to produce papers, etc., to auditor . „ s.25.
Power of Chief Justice to make rules for guidance of Official Trustee . . . . . „ ss.20,21.
Official Trustee to comply with requisition by Government for returns and statements . . . . . „ s.33.
Order of High Court to be equivalent to decree . . . „ s.30.
Who may apply for order . . . . . „ s.31.
Registration of documents executed by Official Trustee in his official capacity . . . . . Act16,1908,s.88.
Payment of income-tax by. *See* INCOME-TAX, 3.
Powers of, not affected by Charitable Endowments Act . . Act6,1890,s.15.

OIL-FIELDS. *See* UPPER BURMA OIL-FIELDS REGULATION, 1910.

OPENING.

Of railway. *See* RAILWAY 4.
Of tramway. *See* TRAMWAYS, A, 3.

OPIUM ACT, 1857. (*See* OPIUM) . . . . . Act13,1857.

OPIUM ACT, 1878 (*See* ATTACHMENT; CUSTOMS; OPIUM) . Act1,1878.

OPIUM.

I.—GENERALLY. | II.—BENGAL, CENTRAL PROVINCES, EASTERN BENGAL AND UNITED PROVINCES.

I.—GENERALLY.

Act I, 1878, extends to notified [1] areas	Act1,1878,s.1.
,, ,, declared in force in—	
Upper Burma except the Shan States	Act13,1898,s.4,Sch.I.
the Santhál Parganas	Reg.3,1872,s.3,Sch.
British Baluchistan	Reg.1,1890,s.3.
Angul District	Reg.1,1894,s.3.
Prohibition or regulation of cultivation, manufacture, possession, transport, import, export and sale of	Act1,1878,ss.4,5,9.
Power to impose duties on	,, ss.5,6.
Duty leviable on imports of, by sea, or imports by land from foreign territory	Act8,1894,ss.3,5,Sch.3.
,, ,, coastwise	Act8,1878,s.20(*b*). Act8,1894,ss.2(*4*),7.
Drawback not allowed on re-exportation	Act8,1878,s.50(*d*).
Warehousing	Act 1,1878,ss.7to9.
Farm of duties leviable on retail sale	,, s.5(*f*).
Penalties	,, ss.9,18.
Presumption of offence	,, s.10.
Confiscation; fine in lieu thereof; disposal of things confiscated; rewards to officers and informers	,, ss.11to13.
Powers of entry, seizure, search and arrest; disposal of person arrested or thing seized; report of arrests and seizures	,, ss.14to22.
Attachment of illicit crop; bail to be taken from cultivator	,, s.22.
Recovery of arrears of fee or duty, arrears due from or to farmer, and penalties due under bond	,, ss.23,24,25. (U.B.)Reg.3,1889,ss.37 to46.
Officers of other Departments bound to assist in executing Opium Act	Act1,1878,ss.14to18.
Prohibition of unlicensed importation, manufacture, barter, sale or possession of opium into or in Andamans; penalty	(And.)Reg.3,1876,ss.31, 32.
Seizure and confiscation of opium on boat in river Kuladan not protected by pass; penalty on boatman	(Ara.)Reg.9,1874,ss.16,17.
Report of offences to be made by rural policemen	(As.)Reg.1,1883,s.18(*10*).
Power to require security from persons earning livelihood by unlawful manufacture, etc., of opium	Bur.Act7,1909,s.3.
Power to search for opium liable to confiscation; seizure of opium and arrest of offender	,, s.4.

In cantonments. *See* CANTONMENT, 2.

In Upper Burma Hills. *See* CHIN HILLS, 5; KACHIN HILLS, 5.

II.—BENGAL, CENTRAL PROVINCES [2], EASTERN BENGAL AND UNITED PROVINCES.

1. Preliminary.

Ben. Reg. 20, 1817, s. 29, declared in force throughout Bengal except as regards the Scheduled Districts	Act15,1874,s.6.

[1] Most, if not all, provinces in British India have been notified.

[2] Ss. 3 to 20, 24, 30 and 31 of Act XIII of 1857, and Ben. Reg. 20, 1817, do not apply to the Central Provinces. Reg. 20 of 1817 does not apply to the Central Provinces or the Sambalpur District of Bengal and is obsolete in Eastern Bengal.

OPIUM—*contd.*

II.—BENGAL, CENTRAL PROVINCES, EASTERN BENGAL AND UNITED PROVINCES—*contd.*

1. Preliminary—*contd.*

Act 13, 1857, declared in force—

throughout Bengal (except Sambalpur District), Eastern Bengal and Agra except as regards the Scheduled Districts . . Act15,1874,ss.6,7.
in the Santhál Parganas . . . . . Reg.3,1872,s.2,Sch.
in the Central Provinces and Sambalpur District in Bengal (ss. 21 to 23, 25 to 29) . . . . . Act20,1875,s.3.
in Oudh (with modifications) . . . . . Act18,1876,s.3.

2. Officers of Opium Department.

Appointment of ; control of, by Board of Revenue . . . Act13,1857,s.3.
Suit against, barred, unless plaintiff has first applied to Opium Agent for redress ; petition to Board of Revenue . . . ,, s.4.
Opium Agent not to institute suit without sanction of Board of Revenue . . . . . ,, s.5.
Suits by or against, may be conducted by Board . . . ,, s.6.
Penalty for receipt of illegal gratification by . . . . ,, s.17.
,, connivance at embezzlement or illegal disposal of opium . . . . . ,, s.20.
Attendance of, before Criminal Courts, how and when to be secured . . . . . Ben.Reg.20,1817,s.29(*1*) to(*4*).

3. Cultivation of poppy and disposal of produce.

Licenses for cultivation ; issue of ; contents and form of . . Act13,1857,ss.7,8.
,, ,, ,, power to withhold ; appeal to Agent . ,, s.9.
Price to be paid to cultivators . . . . . ,, s.7.
Optional with cultivators to engage for cultivation ; punishment of officers using compulsion . . . . . ,, s.9
Penalty on cultivator not cultivating full quantity of land for which he received advance ; adjudication of penalty ; appeal to Agent . . . . . ,, s.10.
Delivery, weighment, examination, classification and confiscation of produce ; examination of weights and scales . . ,, ss.11to15.
Non-liability of produce to attachment for rent or under decree . ,, s 11.
Adjustment of accounts and recovery of balance from cultivator ,, s 16.
Rent of cess illegally exacted by landholder ; recovery of, with penalty . . . . . ,, s 18.
Penalty on cultivator embezzling or illegally disposing of opium ,, s.19.
,, for illegally purchasing, receiving, etc., opium from cultivator, etc. . . . . ,, s.20.
Unlicensed cultivation ; penalty for ; seizure and confiscation of opium . . . . . ,, s.21.
,, ,, landholders, farmers, tahsildars, Police-officers, Excise-officers and Native officers to give information of, under penalty . . . . . ,, ss.22,23.
,, ,, power to attach crop on discovery of . ,, ss.24,25.
,, ,, ,, to arrest person engaged in . ,, s.24.

OPIUM—*contd.*

I.—BENGAL, CENTRAL PROVINCES, EASTERN BENGAL AND UNITED PROVINCES—*contd.*

3. Cultivation of poppy and disposal of produce—*contd.*

Unlicensed cultivation; s. 22 of Opium Act, 1878, as to attachment of poppy illegally cultivated, not to apply . . . . . Act I, 1878, s. 22.

Police-officers to suppress illicit cultivation, manufacture, sale, purchase, importation, transport or possession of opium; penalty . . . . . Pen. Reg. 20, 1817, s. 29(*9*), (*12*).

Power to authorise cultivation of poppy and manufacture of opium without license, and to make rules for delivery of opium so produced . . . . . Act I 3, 1857, s. 31.

4. Miscellaneous.

Adjudication of offences; limitation . . . . . ,, s. 26.

Imprisonment in default of payment of fine . . . . . ,, s. 27.

Enhanced punishment on second and subsequent convictions . ,, s. 28.

Imprisonment to be in civil jail . . . . . ,, s. 29.

Rewards to informers and to officers who apprehend offenders . ,, s. 30.

ORDINANCES.

Power of Governor General to make . . . . . 24-5 V. c. 67, s. 23.

ORDINATIONS FOR COLONIES ACT, 1819.[1] (*See* BISHOPS AND CLERGY) . . . . . 59 G. 3, c. 60.

ORDNANCE CORPS.

Compensation on retirement to officers of . . . . . 37-8 V. c. 61.

ORISSA.

Tributary Mahals of:

Execution in Bengal or Eastern Bengal of certain sentences passed in . . . . . Act I 1, 1893, s. 4.

Cuttack:

What territories included in district of . . . . . Ben. Reg. 13, 1805, s. 2.

Power to alter boundaries of district . . . . . ,, s. 3.

Abolition of sair-duties in . . . . . Ben. Reg. 12, 1805, s. 31.

Revenue-free grants in. *See* LAND-REVENUE, III, 3 (*c*) (*i*), (*ii*).

Registers of landed property; settlement and collection of land-revenue. *See* LAND-REVENUE, III, 5.

Rural Police in. *See* POLICE, III, E.

See also PENSIONS AND GOVERNMENT GRANTS.

Cuttack, Puri and Balasore:

Settlement of land-revenue. *See* LAND-REVENUE, III, 3 (*a*).

Puri. *See* PILGRIM, B.

See also ANGUL DISTRICT; BANKI; EMBANKMENT.

For further provisions enacted specially for Orissa, see the appropriate heads.

[1] This short title was given by 50 & 60 Vict. c. 14

OUDH.

1. Laws.

Certain Bengal Regulations declared in force (with modifications), to the exclusion of all others	Act18,1876,ss.2,3(*e*),Sch. I,Sch.II.
Certain Acts of the Governor General in Council declared in force with modifications	,, s.3,Sch.II.
Law to be administered ; validation of customs	,, ss.3,4.

2. Civil Justice.

Restriction of claims under Muhammadan contracts of dower	,, s.5.
Modifications in Code of Civil Procedure as in force in Oudh	,, ss.19,20,22.
Right of occupancy in judgment-debtor's sir-land sold, etc., under Code of Civil Procedure	,, ss.25,39(*g*).
Power of Judicial Commissioner to make rules for custody and sale of attached property	,, s.27.
Revenue agents authorised to appear, etc., in rent-suits	,, s.26.

3. Criminal Justice.

Confirmation of capital sentences	Act14,1891,s.7.
Hearing of cases by Judicial Commissioner and Additional Judicial Commissioner sitting together ; procedure in case of difference of opinion	,, ss.8,9.

4. Pre-emption.

Definition	Act18,1876,s.6.
Presumption as to, and proof of, right of	,, ss.7,8.
Exercise of right	,, ss.9to12.
Suit to enforce right	,, ss.13to15.
Right of pre-emption at sale in execution of decree for arrears of rent	Act22,1886,s.155.
,, ,, ,, for arrears of revenue	U.P.Act3,1901,s.182.

See also PRE-EMPTION.

5. Police.

Village and Road Police :	
Nomination and appointment of village-policemen	Act18,1876,ss.29to32.
Appointment of road-policemen	,, s.33.
Duties of	,, ss.34,35.
Punishment of ; application of fines levied from	,, ss.36to38
Power to make rules for	,, s.39
,, to impose rate for maintenance of rural police ; power to exempt from operation of Act or liability to rate	U.P.Act2,1906,ss.8,21.
Recovery of rate from landholder ; recovery by him from co-sharer, etc.	,, ss.9,11,14to 19.
Suits as to rate by what Courts cognizable ; appeals	
Rural Police Fund ; constitution, application and account of	,, s.10.
Bar to jurisdiction of Civil Courts as to assessments	,, s.20.
Power of Local Government to make rules as to assessment, etc.	,, s.21.
Power to confer police-powers on any person, and power to withdraw such powers	Act18,1876,s.44.

OUDH—*contd.*

6. Miscellaneous.

Power to make rules as to—
disposal of unclaimed property . . . . . .
conservancy, watch and ward at fairs and assemblies, and imposition of taxes for those purposes . . . . . Act18,1876,s.39.
keeping of records . . . . . .
appointment, etc., of ministerial officers . . . . .
Rules: publication of; penalty for breach of . . . . „ ss.40,42.
For further provisions enacted specially for Oudh, see the appropriate heads.

OUDH AND ROHILKHAND RAILWAY PURCHASE ACT, 1888. (*See* FINANCE; RAILWAY, 10) . . . . . 51-2V.c.5.
OUDH CIVIL COURTS ACT, 1879. (*See* CIVIL COURTS IV; MATRIMONIAL CAUSES; MORTGAGE; SEAL) . . . . Act13,1879.
OUDH COURTS ACT, 1891. (*See* CAPITAL PUNISHMENT; CIVIL COURTS IV; OUDH) Act14,1891
OUDH COURTS ACT (1891) AMENDMENT ACT, 1897 . . Act16,1897.
OUDH ESTATES ACT, 1869. [*See* CROWN LANDS; LAND-REVENUE (OUDH); TALUQDARS AND GRANTEES (OUDH)] . . Act1,1869.
OUDH ESTATES (AMENDMENT) ACT, 1910. [*See* TALUQDARS AND GRANTEES (OUDH)] . . . . . U.P.Act3,1910.
OUDH LAWS ACT, 1876. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES I; ALLUVION AND DILUVION; COURT; DOWER; MARCHING TROOPS; OPIUM; OUDH; POLICE II; PUBLIC OFFICER; STATE OFFENCES; STATE PRISONERS; TRAVELLER; UNCLAIMED PROPERTY) . . . . . Act18,1876.
OUDH RENT ACT, 1866, AMENDMENT ACT, 1901 . . . U.P.Act4,1901.
OUDH RENT ACT, 1886. (*See* LANDLORD AND TENANT X) . Act22,1886.
OUDH SETTLED ESTATES ACT, 1900. (*See* SETTLED ESTATE) U.P.Act2,1900.
OUDH SETTLED ESTATES (AMENDMENT) ACT, 1910 . U.P.Act2,1910.
OUDH SUB-SETTLEMENT ACT, 1866. [*See* LAND-REVENUE (OUDH 3)] . . . . . Act26,1866.
OUDH TALUQDARS' RELIEF ACT. (*See* INCUMBERED ESTATES V) Act24,1870.
OUT-PORTS LANDING AND SHIPPING FEES ACT (MADRAS), 1885. (*See* PORT) . . . . . Mad.Act3,1885.
OWNER; Definitions of. *See* WORDS AND PHRASES.

PALANQUIN.

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

1. Preliminary.

Ben. Act 2, 1891, applies to—
Calcutta . . . . . Ben.Act2,1891,s.1(3).
Towns and places to which Ben. Act 5, 1866, was extended by notification under s. 54 thereof . . . . . „ s.2(2).
Ben. Act 2, 1891, may be extended to other towns and places by notification . . . . . „ s.1(3).
When Act so extended, persons may be appointed to exercise functions of Commissioners and Chairman of Calcutta Municipality; consequential amendments in Act . . . . „ s.61.

PALANQUIN—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

1. Preliminary—*contd.*

Power to alter limits of Calcutta; sanction of Governor General in Council required if area to be included is in cantonment	Ben.Act2,1891,s.4.	
Definition of "Calcutta" and "the Commissioners"	,,	s.3.

2. Regulation.

Registration and numbering of palanquins; fee for registration; penalties	,,	ss.46to48.
List of fares to be kept inside	,,	s.49.
Fares for hire of palanquins	,,	ss.50,52(*3*), Sch. II.
Additional fare for extra speed	,,	s.52(*2*).
Licensing of bearers; fee for license; bearers' tickets; penalties	,,	s.51.
Distance which bearers are bound to carry palanquin; penalty	,,	s.52(*1*).
Application to owners and bearers of palanquins of provisions of Act as to owners and drivers of hackney-carriages	,,	s.52(*1*).
Cognizance of offences; procedure; limitation; recovery of fines	,,	ss.55,56.
Damage to property of Commissioners to be made good by convicted person	,,	s.57.
Compensation for groundless prosecution	,,	s.58.
Property left in palanquin how to be dealt with	,,	s.59.
Fees and fines to be credited to Hackney-carriage Fund; application of fund	,,	s.60.
Power to make rules to regulate admission of palanquins into public parks	Ben.Act2,1904,s.4(*a*).	

II.—BOMBAY PRESIDENCY.

See PUBLIC CONVEYANCE.

PANCH MAHALS LAWS ACT, 1885. (*See* INCUMBERED ESTATE III; INFANTICIDE; LANDLORD AND TENANT V; LAND REVENUE VII; PANCH MAHALS)	Act7,1885.	
PANCH MAHALS.		
Laws in force in Kaira District (with certain exceptions) to apply	Act7,1885,s.2(am.Bom. Act1,1910,s.2).	
No longer a Scheduled District	,,	s.4.
PANCHAYAT.		
District and Village Panchayats for hearing of suits as to land or crops in Madras Presidency:		
Mad. Reg. 12, 1816, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act15,1874,s.4.	
Constitution of	Mad.Reg.12,1816,s.6.	
Authority to hear such suits if referred to them by Collector.	,,	s.2.
Procedure of Collector prior to referring such suits to Panchayat	,,	ss.3to5.
Charges on such suits	,,	s.11.
Procedure of; inquiry into charge of partiality brought against execution of decree of	,,	ss.6to10.
Copy of Regulation to be kept by Karnam	,,	s.13.

PANCHAYAT—*contd.*

Village Panchayats for trial of civil causes. *See* VILLAGE COURTS, III, A.

Under Madras Local Boards Act. *See* LOCAL SELF-GOVERNMENT, VII.

Constitution and functions of, under laws relating to—

chaukidars. *See* POLICE, II, A, 2, 3; B, 2, 3.

rural Police. *See* POLICE, III, A.

In Central Provinces. *See* VILLAGE, E, 2.

PANDHARI-TAX, CENTRAL PROVINCES.

Abolition of . . . . . Act6,1902.

PAPER CURRENCY ACT (INDIAN), 1910 . . . Act2,1910.

PAPER CURRENCY.

Department of; constitution and functions of . . . Act2,1910,s.3.

,, officers of . . . . . ,, ss.4,6to8.

,, accounts of . . . . . ,, s.28.

Power to establish and alter limits of circles of issue . . . ,, ss.5,29.

Supply and issue of currency notes in exchange for silver or gold coin . . . . . ,, ss.9to14, 29.

Notes where legal tender and where payable . . . . ,, ss.15to18.

Reserve of coin and Government securities . . . . ,, ss.19to25.

Prohibition of issue of private bills or notes payable to bearer on demand; proviso; penalty . . . . . ,, ss.26,27.

Powers of Governor General in Council to make rules . . ,, s.29.

PARCEL.

Conveyance of, through Post Office. *See* POST OFFICE (INDIAN LAW), 3, 4.

PARK. *See* PUBLIC PARK.

PARLIAMENT.

Consent of, to maintenance of standing army. *See* ARMY, 1.

,, to war, in certain cases . . . . . 12-3W.3,c.2.

PARSI INTESTATE SUCCESSION ACT, 1865. (*See* SUCCESSION) . . . . . Act21,1865.

PARSI MARRIAGE AND DIVORCE ACT, 1865. (*See* BIGAMY; MARRIAGE II; MATRIMONIAL CAUSES, C; SEAL) . . . Act15,1865.

PARSIS.

Marriage of. *See* MARRIAGE, II, B.

Intestate succession among. *See* SUCCESSION, 8 (*b*).

PARTITION ACT, 1893. (*See* PARTITION, ETC.) . . . Act 4,1893.

PARTITION AND UNION OF IMMOVEABLE PROPERTY.

1793. Ben. Reg.8, s. 26 (Settlement, Bengal).

1803. Mad. Reg. 2, ss. 17, 18, 21 to 23 (Partition, Madras).

1812. Ben. Reg. 18, s. 3 (Apportionment of land-revenue, Bengal).

1822. Ben.Reg. 7, s. 12(Settlement, Bengal).

1872. Reg. 3, s. 3 (Santhál Parganas).

1874. Act 15, s. 6 (Laws Local extent).

1877. Reg. 2, ss. 8 to 19, 64, 72 (Land and Revenue, Ajmere).

1884. Act 2 (Partition-deeds, Madras).

1893. Act 4 (Partition, British India).

1897. Ben. Act 5 (Partition).

1898. Act 13, s. 4 (Laws, Burma).

1899. Reg. 1, ss. 143, 145 (Coorg Land-revenue).

1901. U. P. Act 3, ss. 128, 138 (Apportionment of Rent).

1908. Act 5, s. 54, Sch. 1, o. 20, r. 18; o. 36, rr. 13, 14(Civil Procedure).

PARTITION AND UNION OF IMMOVEABLE PROPERTY—*contd.*

I.—BRITISH INDIA GENERALLY . . **Partition of Immoveable Property.**

II.—AJMERE . . . . . **Partition of Lands.**

III.—BENGAL . . . . . **Partition and Union of Estates.**
1. PRELIMINARY.
2. PARTITION.
3. UNION.
4. SUPPLEMENTAL

IV.—COORG.

V.—MADRAS PRESIDENCY . . . **Partition of Immoveable Property.**

VI.—OTHER PROVINCES

I.—BRITISH INDIA GENERALLY.

Partition of Immoveable Property.

Definitions of "partition." *See* WORDS AND PHRASES.

Partition how to be effected	Act5,1908,s.54,Sch.1, o.20,r.18.
Commission to make, under Code of Civil Procedure . . .	,, Sch.1,o.36,rr. 13,14.
Act 4, 1893, declared in force in Upper Burma except Shan States	Act13,1898,s.4,Sch.1.
Power of Court to order sale in partition-suit instead of division; procedure when shareholder undertakes to buy . . .	Act4,1893,ss.2,3.
Procedure when shareholder undertakes to buy share of dwelling-house acquired by stranger	,, s.4.
Request for sale, or undertaking to buy, may be made by representative of party under disability	,, s.5.
Reserved bidding at sale	,, s.6(*1*).
Bidding by shareholders	,, s.6(*2*),(*3*).
Procedure to be followed in case of sales	,, s.7.
Orders for sale deemed decrees	,, s.8.
Power of Court to order partition of part and sale of rest of property	,, s.9.
Application of Act to pending suits	,, s.10.
Act not to affect local laws providing for partition of immoveable property paying revenue to Government	,, s.1(*4*).

II.—AJMERE.

Partition of Lands.

Power to apply for partition of—	
common lands of village	Reg.2,1877,s.8.
other land	,, s.9.
Application for partition; ascertainment of objections, and disposal thereof by Civil Court or Revenue-officer . . .	,, ss.10to14.
Proceedings of Revenue-officer after objections disposed of; order for partition, and execution thereof	,, ss.15to17.
Notification of completion of partition	,, s.18.
Costs	,, s.19.
Perfect partition not allowed without previous sanction of Chief Commissioner	,, ss.64,72.

PARTITION AND UNION OF IMMOVEABLE PROPERTY—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

Partition and Union of Estates.

1. Preliminary.

Ben. Reg. 8, 1793, declared in force throughout Bengal, except as regards the Scheduled Districts	Act15,1874,s.6.
Ben. Act 5, 1897, extends to Bengal (except Sambalpur District) and Eastern Bengal	Ben.Act5,1897,s.1.
Ben. Regs. 8 of 1793 and 18 of 1812, and Ben. Act 5, 1897, declared in force in Santhál Parganas	Reg.3,1872,s.3,Sch.
Definitions	Ben.Act5,1897,s.3.

2. Partition.

Power to make partition at settlement	Ben.Reg.7,1822,s.12.	
Joint proprietors dissatisfied with offer of settlement entitled to claim partition	Ben.Reg.8,1793,*s.26.	
Who entitled to claim partition	Ben.Act5,1897,ss.4,8.	
Partition according to interest	,,	s.5.
Separation of land held in common between proprietors of two or more estates when the estates are not under partition	,,	s.6.
Partition under Act, where a partition has been made by private arrangement	,,	s.7.
Security of the land-revenue—		
Partitions not to relieve land from liability for total land-revenue, unless made as provided in Act	,,	s.9.
Amount of revenue to be assessed on each separate estate	,,	ss.10,56.
Restrictions on partition of estate, with reference to revenue	,,	s.11.
Liability of each separate estate for revenue	,,	s.95.
Execution of decree for partition	,,	s.12.
Power to refuse partition which would result in formation of estates scattered so as to endanger safety of revenue	,,	s.13.
Interest alienated with special condition as to liability for revenue	,,	s.14.
Sale, for arrears of revenue, of estate under partition; cessation of partition-proceedings on sale	,,	s.15.
Sale, for arrears of revenue, of share of estate under partition; continuance of partition-proceedings	,,	s.16.
Application for partition: submission of; rejection or amendment of; invitation and consideration of objections to; admission of; power to refer, to Deputy Collector	,,	ss.17to24,29 to31.
Effect, on proceedings under Act, of suit in Civil Court	,,	ss.25to27.
Power of Civil Court to order partition; assessment of land-revenue	,,	s.28.
Power of Collector to appoint Deputy Collector to carry out partition	,,	s.32.
Power of Collector to strike partition off the file, on application of parties	,,	s.33.
Power of Commissioner to strike partition off the file	,,	s.34.

* Ben. Reg. 8, 1793, applies also to tracts of Assam.

PARTITION AND UNION OF IMMOVEABLE PROPERTY—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

Partition and Union of Estates—*contd.*

2. PARTITION—*contd.*

Establishments and costs	Ben.Act5,1897,	ss.35to43.
Proceedings up to the determination of the partition—		
Deputy Collector to have powers of Survey-officer under Ben. Act 5, 1875, powers of Revenue-officer under Act 8, 1885, Chapter X, and certain powers of Civil Courts	,,	ss.44,97.
Survey, and record of rents and assets—		
when to be made	,,	ss.45,49.
particulars to be recorded	,,	s.46.
attestation and publication	,,	ss.47,48.
Record of order, fixing of day for determining partition, and service of notices	,,	s.50.
Partition by amicable arrangement or by arbitration	,,	ss.51to56
Making of partitions by Deputy Collector, and approval thereof by the Collector	,,	ss.57to61.
General principles on which partition to be made Lands held in common tenancy	,,	ss.62to75.
,, ,, severalty	,,	ss.76to78.
,, ,, common tenancy and lands held in severalty	,,	ss.79to89.
Procedure before the Commissioner up to the completion of a partition—		
where proceedings require amendment, or where appeal or objection presented	,,	ss.90,92.
in other cases	,,	ss.91,92.
Procedure by Collector on confirmation or sanction of partition	,,	s.93.
Procedure as to giving possession of separate estates	,,	s.94.
Boundary-marks; erection and preservation of	,,	s.96.
Reference to arbitration	,,	ss.51to55,98.
Effect of partition on tenures, leases and incumbrances	,,	s.99.
If separate estate falls into arrear, so as to require sale of estate, Collector to inquire cause and report to Commissioner	,,	s.101.
Power of Local Government to order new allotment of land-revenue on separate estate, and to direct proprietors of under-assessed estates to make refund to proprietors of over-assessed estates	,,	ss.102,103.
Assessment of land-revenue on separated estates	(Ben.)Ben.Reg.18,1812,	s.3(2).

See also LAND-REVENUE, III, 3 (*a*); LOCAL RATES AND CESSES, B, 3; PERMANENT SETTLEMENT, 1; SUCCESSION, 8 (*c*).

3. UNION.

Cases in which union may be effected; procedure	Ben.Act5,1897,	s.100.

4. SUPPLEMENTAL.

Publication of notifications	,,	s.104.
Service of notices	,,	s.105.
Exercise by Collector of functions assigned to Deputy Collector	,,	s.109.

PARTITION AND UNION OF IMMOVEABLE PROPERTY—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

Partition and Union of Estates—*contd.*

4. SUPPLEMENTAL—*contd.*

Power to invest Collector or Deputy Collector with powers	Ben.Act5,1897,s.110.
Appeal to Collector, Commissioner or Board; limitation of appeal; revision; costs of appeal	,, ss.111to117.
Fines for non-compliance with notice, etc.	,, ss.107,108.
Recovery of fees, fines, costs and other monies	,, s.108.
Powers of officers with regard to false evidence or forgery	,, s.118.
Bar to jurisdiction of Civil Courts in certain cases	,, s.119.
Board to be guided by orders or instructions of Local Government	,, s.120.
Power of Board to make rules	,, s.121.
Irregularities not to invalidate proceedings	,, s.106.

IV.—COORG.

Power to make rules as to partition	Reg.1,1899,s.143(*e*),(*ee*).
Bar to suits in Civil Courts for partition, in certain cases	,, s.145(*xv*).

V.—MADRAS PRESIDENCY.

Partition of Immoveable Property.

Apportionment of revenue assessment on partition of estate	Mad.Reg.2,1803,ss.17,18.
Principles to be followed by Collector in making partition of estate	,, ss.21,22.
Collector to keep register of partitions of estates	,, s.23.
Validation of certain unregistered instruments of partition of immoveable property	Act2,1884.

See also IMPARTIBLE ESTATES, LAND-REVENUE, XIII, 4(*b*); PERMANENT SETTLEMENT, 2.

VI.—OTHER PROVINCES.

Assam. *See* LAND-REVENUE, V, A, 4 AND B, 4 (*c*); PERMANENT SETTLEMENT, 1; SUCCESSION, 8 (*c*).

Bombay. *See* LAND-REVENUE, VI, VII, A, 5 (*b*); B; C, 3, 4.

Central Provinces. *See* LAND-REVENUE, XI, 3 (*c*), 4 (*d*).

United Provinces. *See* LAND-REVENUE, XVI, 4 (*d*); PERMANENT SETTLEMENT, 3; SUCCESSION, 8 (*c*).

Oudh: distribution of rent when partition effected	U.P.Act3,1901,ss.128,138.

Punjab and N.-W. Frontier Province. *See* LAND-REVENUE, XV 4 (*a*), (*e*).

PARTNERSHIP.

Act 9, 1872 (the Indian Contract Act, 1872)—	
extends to the whole of British India	Act9,1872,s.1.
declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3,Sch.
the Arakan Hill District	Reg.9,1874,s.3.
Upper Burma except the Shan States	Act13,1898,s.4,Sch.1.
British Baluchistan	Reg.1,1890,s.3.

PARTNERSHIP—*contd.*

"Partnership" and "firm" defined . . . . . Act9,1872,s.239.
Prohibition of, exceeding certain number, unless registered, etc. . Act6,1882,s.4.
No partnership results—
where lender advances money for share of profits . . . Act9,1872,s.240.
where retiring partner leaves property in the business . . ,, s.241.
where servant or agent remunerated by share of profits . . ,, s.242.
where widow or child of deceased partner receives annuity out of profits . . . . . ,, s.243.
where share of profits received for sale of goodwill . . ,, s.244.
Responsibility for representation of being a partner . . . . ,, ss.245,246.
General duties of partners towards each other . . . . ,, ss.257to259.
Trust created where advantage gained by partner . . . Act2,1882,s.88.
Provisions for determining mutual relations of partners where no contract to the contrary . . . . . Act9,1872,s.253.
Power of partner to bind co-partners . . . . . ,, s.251.
Annulment of contract defining partner's rights and obligations . ,, s.252.
Rights and obligations of partners in partnership continued after expiry of agreed term . . . . . ,, s.256.
Revocation of continuing guarantee by change in firm . . ,, s.260.
Non-liability of deceased partner's estate for subsequent obligations . . . . . ,, s.261.
Liability of partners to third persons . . . . . ,, ss.249,250.
Minor; responsibility of . . . . . ,, s.247.
,, ,, on attaining majority . . . ,, s.248.
Priorities in payment of partnership debts and separate debts . ,, s.262.
Dissolution of, by Court . . . . . ,, s.254.
,, by High Court, when partner becomes lunatic . ,, 34.1858,s.21.
,, on prohibition of business . . . . . ,, 9,1872,s.255.
,, continuance of partner's rights and obligations after . . . . . ,, s.263.
,, notice of . . . . . ,, s.264.
Winding-up by Court on dissolution or after termination . . ,, s.265.
Limited liability partnerships, incorporated partnerships, joint-stock companies, etc., to be regulated by special laws applicable thereto . . . . . ,, s.266.
Suits by or against partners . . . . . Act5,1908,Sch.1,o.30.
Insolvency proceedings by or against partners . . . . Act3,1909,ss.95,97to99.

PASSENGER.

By rail. *See* RAILWAY, 6 (*c*), 7, 9.
On Sind-Pishin section of North-Western Railway. *See* RAILWAY, 10.
By ship. *See* MERCHANT SHIPPING.

PATENT

Letters Patent when to take effect in British Possessions . . 26-7V.c.76,ss.1to3.

PATNI TALUKS REGULATION (BENGAL), 1819.[1] (*See* LANDLORD AND TENANT, III, B; IV, B) . . Ben.Reg.8,1819.
,, ,, ,, ,, 1820.[1] (*See* LANDLORD AND TENANT, III, B; IV, B) . . Ben.Reg.1,1820.

[1] This short title was given by Act 5, 1897, s. 4.

PATWARIS AND KANUNGOS.

1816. Ben. Reg. 5 (Kanungos, Bengal).
1817. Ben. Reg. 12 (Patwaris, Bengal).
1819. Ben. Reg. 1 (Kanungos and Patwaris, Bengal).
1825. Ben. Reg. 13 (Kanungos, Bengal).
1872. Reg. 3, s. 3 (Santhál Parganas).
1874. Act 15, s. 6 (Laws Local Extent).
1901. U. P. Act 3, ss. 21 to 27, 233, 234 (Land-revenue, U. P.)

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL } 1. Patwaris. 2. Kanungos.
II.—UNITED PROVINCES ....
III.—OTHER PROVINCES ....

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

1. Patwaris.

Every village paying revenue to have a separate patwari; exceptions	Ben.Reg.12,1817,ss.3,33.
Filling of vacancies in office of; penalty	„ ss.7to11. Ben.Reg.1,1819,s.6.
When Collector may nominate	„ s.5.
Removal of; penalty for wrongful removal	Ben.Reg.12,1817,ss.12to15. Ben.Reg.1,1819,s.7.
Duties of	Ben.Reg.12,1817,s.16.
Transmission and record of accounts of	„ s.17.
Power of Collector or Court to summon and examine patwari; punishment for not producing accounts or giving evidence	„ ss.22to25.
Penalty for falsification, etc., of accounts of	„ s.27.
„ obstruction of	„ s.13. Ben.Reg.1,1819,s.7.
Power to suspend Ben. Reg. 12, 1817, where appointment of patwari inexpedient; person keeping village accounts to be subject, however, to certain provisions of the Regulation	Ben.Reg.12,1817,s.33.
Remuneration of	„ ss.18to21, 34to36.
Bar to jurisdiction of Courts in complaints as to remuneration of patwari or as to decisions of Collector under the Regulation	„ s.34.
Appeal from decision or order of Collector as to remuneration of	„ s.35.
Recovery of remuneration of, and fines	„ s.36.
Territorial extension of Ben. Reg. 12, 1817, extended to Bengal generally	Ben.Reg.1,1819,s.4(2).
Ben. Reg. 12, 1817, and Ben. Reg. 1, 1819, declared in force in the Santhál Parganas	Reg.3,1872,s.3,Sch.
Power of Governor General in Council to suspend operation of rules regarding patwaris	Ben.Reg.1,1819,s.4(4).
Power of Board of Revenue to suspend operation of Ben. Reg. 12, 1817, in certain places	„ s.4(6).

2. Kanungos.

Appointment and removal of, number of	Ben.Reg.5,1816,ss.2,3,11. 12. Ben.Reg.1,1819,s.4(1),(3).
Office of, not hereditary, but choice of successor to be made as far as possible from family	Ben.Reg.5,1816,s.4.
Salaries of	„ s.5.

PATWARIS AND KANUNGOS—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

2. Kanungos—*contd.*

Revenue of lands held by, declared to be liable to resumption . Ben.Reg.5,1816,ss.5,6.
Power to continue minhaidars in possession of lands of which revenue so resumed; minhaidars' tenures declared heritable and transferable . . . . . Ben.Reg.13,1825,ss.2,3.
Duties of . . . . . Ben.Reg.5,1816,s.7.
" power to alter . . . . . Ben.Reg.1,1819,s.4(5).
Not to hold farms, or become sureties for farmers or zamindars . Ben.Reg.5,1816,s.8.
Transfer of records of, to successor; penalties . . . . . " ss.9,10.
Territorial extent of Ben. Reg. 5, 1816, extended to Bengal generally . . . . . Ben.Reg.1,1819,s.4(1).
Ben. Reg. 1, 1819, declared in force in the Santhál Parganas . Reg.3,1872,s.3.
Ben. Reg.13, 1825, declared in force —
throughout Bengal, except as regards the Scheduled Districts . Act15,1874,s.6.
in the Santhál Parganas . . . . . Reg.3,1872,s.3.
Power of Local Government to suspend operation of rules regarding kanungos . . . . . Ben.Reg.1,1819,s.4(4).

II.—UNITED PROVINCES.

Formation of circles and appointment, etc., of patwaris therefor . U.P.Act3,1901,ss.21,23,234(b).
Salaries of patwaris . . . . . " s.22.
Appointment and salaries of kanungos . . . . . " ss.25,26,234(b),(c).
Claims relating to office or emoluments of, excluded from cognizance of Civil Courts . . . . . " s.233(a),(b).
Patwari to be appointed to each circle . . . . . " s.23(1).
Nomination and appointment of patwaris to fill vacancies . . " s.24.
Power of Board of Revenue to make rules as to appointment, remuneration, duties, punishment, etc., of patwaris and kanungos . . . . . " s.234(b),(c).
Patwaris and kanungos to be deemed "public servants" and their records public records . . . . . " s.27.

III.—OTHER PROVINCES.

Central Provinces and Sambalpur District in Bengal. *See* LAND-REVENUE, XI, 4 (*e*).
Punjab and North-West Frontier. *See* LAND-REVENUE, XV, 4 (*c*).

PAUPER.

Suit by . . . . . Act5,1908,Sch.1,o.33.
Appeal by . . . . . " o.44.
Control over landing of, in Aden. *See* ADEN, 3.
See also LEPER; LUNATIC.

PAWNBROKER.

Assistance by, to police. *See* POLICE, I, D, 3; E, 3; G, 3; J, 2

PEARL FISHERY.

Perim: prohibition of fishing for pearls, etc., in territorial waters of, except under license . . . . . Reg.2,1908,s.3.

Power to make rules regulating fishing for pearls, etc., in; prohibition of certain acts; penalties for breach . . . „ ss.4,5,6.

Jurisdiction to try offences: liability of master of ship for offences committed on board . . . . . „ ss.7,8.

Forfeiture of pearls, etc. . . . . „ s.9.

Arrest without warrant . . . . . „ s.10.

PEGU AND TENNASSERIM VALIDATION ACT, 1895 . Act11,1895.

PEINT.

No longer a Scheduled District . . . . . Bom.Act2,1894,s.2.

Enactments in force in Nasik District to apply to . . . „ ss.3,4.

PEINT LAWS ACT, 1894. (*See* PEINT) . . . . Bom.Act2,1894.

PENAL CODE (INDIAN). [*See* CRIMINAL LAW (INDIAN)]. . Act45,1860.

PENAL SERVITUDE ACT, 1855. [*See* CRIMINAL LAW (IND.)] . Act24,1855.

PENAL SERVITUDE.

See CRIMINAL LAW (INDIAN), 2.

Treatment of convicts sentenced to. *See* PRISONER (INDIAN LAW), 2 (*3*).

PENSION (ENGLISH LAW).

To permanent civil servants:

Ordinary rates of superannuation allowances, and regulations; suspension of allowance on subsequent appointment to office . 4-5W.4,c.24,ss.9,12,20,28,30.

Compensation for abolition of office . . . . . „ s.18.

Charge and payment of allowances, etc.; accounts . . . „ ss.18,22,23,26.

For political services; declaration as to means required . . „ s.6.

In respect of service in India Office. . . . . 23-4V.c.89. 44-5V.c.63. 55-6V.c.40.

Gratuity or allowance to injured civil servant . . . . 50-51V.c.67,s.1;6Edw.7,c.58,s.9.

„ on retirement or removal of one not entitled to superannuation allowance . . . . . „ ss.2,4.

double pensions; provision against . . . . . „ s.5.

reckoning of temporary services . . . . . „ s.3.

regulations as to officers receiving half pay or retired pay . . „ s.6.

provisions when payee is lunatic . . . . . „ s.7.

proof of representation to be dispensed with on death of payee when amount does not exceed £ 100 . . . . . „ s.8.

decision of Treasury final . . . . . „ s.9.

laying of warrants or minutes before Parliament . . . „ s.11.

See also NAVY, 4.

PENSIONS ACT, 1871. (*See* LAND-REVENUE XIII 3(*c*); PENSIONS, ETC.) Act23,1871

PENSIONS AND GOVERNMENT GRANTS (INDIAN LAW).

Pensions granted in Cuttack before 14th October, 1803: continuance of; when to revert to Government . . . . Ben.Reg.12,1805,s.30.

PENSIONS AND GOVERNMENT GRANTS (INDIAN LAW)—*contd.*

Act 23, 1871, extends to whole of British India . . . . Act23,1871,s.1.
" " declared in force in—
the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
the Arakan Hill District . . . . . Reg.9,1874,s.3.
Upper Burma (except the Shan States) . . Act13,1898,s.4,Sch.1.
British Baluchistan . . . . . Reg.1,1890,s.3.

"Grant of money or land-revenue" includes anything payable on part of Government in respect of any right, privilege, perquisite or office . . . . . Act23,1871,s.3.

Claims to, to be preferred to Executive Officer, and disposed of under rules made by Chief Revenue-authority . . . " s.5.

Restrictions on jurisdiction of Civil Courts in claims to . . . " ss.4,6,7.

Certain pensions may be alienated and sued for like ordinary property . . . . . " s.7.

Mode of payment of . . . . . " s.8.

Ss. 4 and 8 not to affect right of grantee of land-revenue to recover same . . . . . " s.9.

Power of Local Government to commute . . . . . " s.10.

Pensions exempted from attachment . . . . . " s.11.
Act5,1908,s.60(*1*)(*g*).
" assignments of, void . . . . . Act23,1871,s.12.
" reward to persons reporting fraudulent or undue receipt of . . . . . " s.13.

Power of Local Government to make rules as to payment of pensions, and for working of Act . . . . . " s.14.

Pension :

To Bishops and Archdeacons. *See* BISHOPS AND CLERGY.
To High Court Judges. *See* HIGH COURT.
To employés of Indian Museum. *See* INDIAN MUSEUM.
To municipal officers and servants :
See MUNICIPALITY, (*sub-heading* "Constitution and Government").
To police-officers employed in municipalities :
See MUNICIPALITY, (*sub-hedaing* "Police").
To servants of District Boards, etc. *See* LOCAL SELF-GOVERNMENT.
Police Superannuation Funds :
See POLICE, I, D, 2 ; E, 2 ; G, 2 ; J, 2.
To Volunteers . . . . . Act20,1869,s.28.
Military. *See* ARMY, 6 ; INDIAN MILITARY AND NAVAL FORCES, I.

PERIM : *See* PEARL FISHERY.

PERIM PEARL FISHERY REGULATION, 1908. (*See* PEARL FISHERY) . . . . . Reg.2,1908.

PERMANENT SETTLEMENT REGULATION (BENGAL), 1793[1] . . . . . Ben.Reg.1,1793.

[1] This short title was given by Act 5, 1897, s. 4.

PERMANENT SETTLEMENT.

1793. [1] Ben. Reg. 1 (Assam and Bengal).
1795. Ben. Reg. 1 (Benares).
„ Ben. Reg. 27 (Benares).
1801. Ben. Reg. 1, s. 8 (Bengal).
1802. Mad. Reg. 25 (Madras).
1846. Act 4, s. 1 (Repeal).
1872. Reg. 3, s. 3 (Santhál Parganas).
1874. Act 15, ss. 4, 6 (Laws Local Extent).
1879. [1]Ben. Act 9, s. 23A (Court of Wards)—Sale in execution of decree; Assam and Bengal).

1. Bengal (except Sambalpur District), Eastern Bengal and Assam.[1]
2. Madras.
3. Agra (Benares).

Definitions of. *See* WORDS AND PHRASES.

1. Bengal (except Sambalpur District), Eastern Bengal and Assam.

Enactment of certain articles of Proclamation of 22nd March, 1793—

limiting for ever the public demand of land-revenue from zamindars, independent talukdars and other actual proprietors of land	[1]Ben.Reg.1,1793,ss.1to6.
explaining the reasons for such limitation exhorting proprietors to improve their estates, to act with good faith, etc. notifying that no suspensions or remissions of revenue will be allowed, and that estates will invariably be sold for arrears	„ s.7.
reserving right of Government to legislate for protection of dependent talukdars, raiyats, etc., to levy internal duties, to assess revenue-free lands and to resume police allowances declaring that estates of certain disqualified proprietors shall not be liable to sale for certain arrears	„ s.8.
„ „ proprietors may transfer land without sanction of Government	„ s.9.
prescribing rules for apportioning the fixed assessment on portions of estates in event of transfer or division requiring transfers and divisions of estates to be notified to Collector	„ s.10.
prescribing rules for adjustment of assessment on lands held khás or let in farm, in event of transfer or division	„ s.11.
Ben. Reg. 1, 1793, s, 10, to be observed in all cases, whether of public sale, private transfer, or division Meaning of "actual produce," as used in Ben. Reg. 1, 1793, s. 10 Procedure where officer charged with allotment of assessment of portion of estate under Ben. Reg. 1, 1793, s. 10, doubts accuracy of village-accounts, or where accounts not forthcoming Sanction of Board of Revenue required to allotment of assessment on portion of an estate	[2] (Ben.,E.B.)Ben.Reg.1, 1801,s.8.
Ben. Reg. 1, 1793, ss. 10, 11, repealed as regards adjustment of assessment on lands sold in satisfaction of decree	Act4,1846,s.1.
Ben. Reg. 1, 1793, s. 8, not to prevent sale of estate, etc., for arrear of revenue accruing while same is under charge of Court of Wards	Ben.Act9,1879,s.23A.
Ben. Reg. 1, 1793, and Ben. Reg. 1, 1801, s. 8, declared in force— throughout Bengal (except Sambalpur district) and Eastern Bengal, except as regards the Scheduled Districts	Act15,1874,s.6.
in the Santhál Parganas	Reg.3,1872,s.3,Sch.

[1] Ben. Reg. 1, 1793, has been declared, by notification under the Scheduled Districts Act, 1874, to be in force in the Assam Districts of Sylhet and Goalpara (excluding the Eastern Dvárs). Ben. Act 9, 1879, s. 23A, has been extended, by notification under the same Act, to the same among other districts of Assam.

[2] Ben. Reg. 1, 1801, is not in force in Assam.

PERMANENT SETTLEMENT—*contd*

2. Madras.

Objects of introducing Permanent Settlement	Mad.Reg.25,1802,s.1.	
Assessment to be fixed on all lands liable to pay revenue to Government; in consequence of such assessment, proprietary right of the soil to become vested in proprietors of land for ever	,,	s.2.
Instruments to be granted to such proprietors; in cases of disputed assessment, Courts to give judgment in conformity to such instruments	,,	s.3.
Assessment to be made exclusively of duties of excise, etc.	,,	s.4.
Resumption of lands held for support of police-establishments	,,	s.5.
Revenue to be paid regularly; no remissions to be allowed	,,	s.6.
Processes for recovery of arrears of revenue	,,	ss.6,7.
Proprietors may transfer land without consent of Government; saving of liability for revenue; fixing of assessment on portion of estate transferred	,,	ss.8,9.
Appointment, duties and punishment of kárnams	,,	s.11.
Prohibition of appropriation of lands to religious, charitable or other purposes so as to evade payment of revenue	,,	s.12.
Assessment of revenue payable to and by proprietors on resumption of lands held revenue-free for religious, charitable or other purposes	,,	ss.12,13.
Landholders to engage with raiyats for rent, to execute pattas with them, and to give receipts for rent; on failure, landholders liable to suit for damages	,,	s.14.
Landholders to assist in securing offenders	,,	s.15.
Mad. Reg. 25, 1802, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act15,1874,s.4.	

3. Agra (Benares).

Publication of proclamation—		
limiting for ever the assessment of land-revenue on pattadars, declaring pattadars to be bound to conform to regulations, regulating succession to zamindaris, and providing for restoration of zamindar on farmer's patta becoming void	Ben.Reg.1,1795,ss.2,3.	
Restoration of taluqdars, zamindars and other actual proprietors to management of their lands held amani or let in farm, on their agreeing to pay assessment; such assessment declared fixed for ever	Ben.Reg.27,1795,s.2.	
Assessment at which Government land transferred to individuals declared fixed for ever		s.3.
Exhortation to proprietors to improve their estates, to act with good faith, etc.	,,	s.4.
Reservation of right of Government—		
to legislate for protection of pattidars, under-renters, raiyats, etc.	,,	s.5(*1*).
to levy internal duties	,,	s.5(*2*).
to assess revenue-free grants	,,	s.5(*3*).
to resume police-allowances	,,	s.5(*4*).
Declaration that lands of dispossessed proprietors shall not be liable to sale for certain arrears	,,	s.5(*5*).

PERMANENT SETTLEMENT—*contd.*

3. Agra (Benares)—*contd.*

Declaration that proprietors may transfer land without sanction of Government . . . . . Ben.Reg.27,1795,s.6.

Rules for apportioning the fixed assessment on portions of estate, in event of transfer or division . . . . . ,, s.7.

Transfer and divisions of estates to be notified to Collector .

Ben. Reg. 27, 1795, s. 7, repealed as regards adjustment of assessment on lands sold in satisfaction of decree . . . . Act4,1846,s.1.

Restrictions on public sale of lands of certain ancient proprietors . . . . . Ben.Reg.27,1795,s.8.

Meaning of "proprietor" and "actual proprietor" . . ,, s.10.

PERSON; definitions of. *See* WORDS AND PHRASES.

PESHAWAR CANALS REGULATION,1898. (*See* IRRIGATION, V) . . . . . Reg.4,1898.

PESHAWAR CANALS (AMENDMENT) REGULATION, 1903. (*See* IRRIGATION, V.) . . . . . Reg.2,1903.

PETROLEUM (CUSTOMS DUTY) ACT, 1888 [*See* CUSTOMS (SEA)] Act2,1888.

PETROLEUM.

Act 8, 1899, ss. 1 to 3 and 25, and provisions relating to dangerous petroleum and importation of petroleum, extend to whole of British India; other sections extend only to notified areas . Act8,1899,s.1(*3*).

So much of Act 8, 1899, as relates to dangerous petroleum and the importation of petroleum, declared in force in Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

Definitions . . . . . Act8,1899,ss.2,3.

Power of Governor General in Council to make rules . . ,, s.8.

Power of Local Government to make rules as to importation of and license to transport . . . . . ,, s.9.

Petroleum discharged into boats or landed, not to be removed until tested and certified not to be dangerous . . . ,, s.10(*1*).

Procedure where certificate is refused . . . . . ,, s.10(*2*).

Licensing of possession and transport of, in quantities exceeding 500 gallons . . . . . ,, s.11.

Power to inspect dealer's stores of, and to require delivery of samples on payment; notice of testing of such samples; certificate as to result of testing, and effect thereof . . . ,, ss.12to14, Sch.I.

Dangerous; licensing of importation, transport or possession of, in quantities exceeding 40 gallons . . . ,, s.5.

,, licensing of possession or transport of, in smaller quantities . . . . . ,, s.6.

,, labelling of vessels containing . . . . . ,, s.7.

Offences and penalties . . . . . ,, ss.15to17.

,, what Magistrates to exercise jurisdiction over, . . ,, s.18.

Model test apparatus, and verification of other apparatus thereby . . . . . ,, ss.19,20, Sch.1.

Power to exempt petroleum from operation of Act . . . ,, s.21.

,, to apply to Act to other inflammable fluids . . . ,, s.22.

,, to limit operation of enactments relating to municipalities as regards possession or transport of . . . ,, s.23.

,, to vary tests and prescribe new tests . . . . ,, s.4.

PETROLEUM—*contd.*

Rules : publication of, etc. . . . . Act8,1899,s.24.

Control over storing of, in municipalities :

See MUNICIPALITY, (*sub-heading* "The Public Health, Safety and Convenience").

Power to tax Petroleum Stores in Calcutta. (*See* MUNICIPALITY, VII, 3).

Regulation of Petroleum Mining Industry in Upper Burma. (*See* UPPER BURMA OIL FIELDS REGULATION, 1910.)

PHRASES ; various, defined. *See* WORDS AND PHRASES.

PIER ACT (MADRAS), 1863. (*See* PORT II, C) . . . Mad.Act5,1863.

PILGRIMS AND PAUPERS REGULATION (ADEN), 1887. (*See* ADEN) . . . . . Reg.11,1887.

PILGRIM SHIPS ACT, 1895. [*See* CUSTOMS (SEA); MERCHANT SHIPPING, 3(*d*)] . . . . . Act14,1895.

PILGRIM.

A.—GENERALLY.

See INFECTIOUS DISEASE ; MERCHANT SHIPPING, 3 (*d*).

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

1.—Under Puri Lodging-house Act, 1871 (Bengal except Sambalpur District).

(*a*) PRELIMINARY.

Ben. Act 4, 1871, extends to Puri . . . . . .

" " " may be extended by modification to any town or place to or through which people go on pilgrimage, and lines of road leading thereto . . . . . Ben.Act2,1879, s. 3(rep. pt.Ben.Act3, 1908,s.16).

Ben. Acts 4 of 1871, 2 of 1879, and 1 of 1884,[1] declared in force in the Santhál Parganas . . . . . Reg.3,1872,s.3, Sch.

Definitions . . . . . Ben.Act4,1871,s.1(am. Ben.Act3,1908, s.3).

(*b*) SANITATION OF PLACES OF PILGRIMAGE, ETC.

Power to appoint Health Officer to control sanitation and conservancy of town and main roads leading thereto . . . " s.2.

Penalty for unlawfully depositing filth or rubbish in public highway or drain . . . . . " s.24.

" allowing foul water to drain, etc., into public highway . . . . . " s.25.

Power to require cutting and trimming of hedges or trees . . " s.26.

Penalty for not removing filth, etc. . . . . " s.27.

" not keeping animals in cleanly state, etc. . . . " s.28.

Licensing of public necessaries . . . . . " s.29.

Penalty for not clearing drain, privy or cesspool after warning . . . . . " s.30.

[1] Ben. Act 1, 1884, has been repealed (except in Santhál Parganas) by Ben. Act 3, 1908, s. 16.

PILGRIM—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

I.—Under Puri Lodging-house Act, 1871 (Bengal except Sambalpur District)—*contd.*

(*b*) SANITATION OF PLACES OF PILGRIMAGE, ETC.—*contd.*

Provisions as to tanks	Ben.Act4,1871,s.31.
Draining-off of stagnant water	,, s.33.
Removal of noxious vegetation and draining of premises	,, s.32.
Power of Magistrate to do acts in default of person to whom notice given, and recover cost from him	,, s.34.
Ben. Act 4, 1871, ss. 24 to 34, repealed in municipalities	Ben.Act5,1876,s.2.
Power of Magistrate and Civil Surgeon to make bye-laws as to conservancy, regulation of encampments, etc., and prevention of spread of epidemic diseases among pilgrims	Ben.Act4,1871,ss.37,38.
Lodging-houses:	
Licensing of	,, ss.3to6(s.4am. Ben.Act3. 1908,s.4).
Penalty for keeping unlicensed lodging-house	,, s.7(am.Ben. Act3,1908,s.5).
Fee for license and Health Officer's certificate issued in connection therewith	,, s.8(am.Ben. Act3,1908,s.6).
Duration of license	,, s.9(am.Ben. Act3,1908,s.7).
Power to inspect and exempt from inspection; report of inspections	,, ss.10,11,15 (s.10am.Ben. Act3,1908,s.8).
License to be produced on demand	,, s.12.
Keeper to maintain register and record name of person left in charge	,, s.12A(ins. Ben.Act3,1908, s.10).
Reports to be made by keeper	,, s.13(am.Ben. Act3,1908,s.11).
Keeper to exhibit number of license and number of lodgers covered by it	,, s.14(sub. Ben.Act3,1908, s.12).
Penalties on keeper or person in charge of	,, ss.7,17,18. (s.17am.Ben. Act3,1908,ss.5, 13).
Revocation and suspension of license	,, s.20.
Reduction of number of lodgers covered by license	,, s.21.
Grant of temporary license in case of emergency	,, s.12A(in. Ben.Act3,1908, s.14).

(*c*) MISCELLANEOUS.

Applications under Act to be in writing	,, s.23.
Obligation to state truth in applications, statements and reports made under Act	,, s.16.
Application of Code of Criminal Procedure	,, s.19.
Fines and fees levied under Act to be expended on sanitary improvement	,, s.22.
Service of notices, etc., under Act	,, s.35.

PILGRIM—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

I.—Under Puri Lodging-house Act, 1871, (Bengal except Sambalpur District)—*concld.*

(*c*) MISCELLANEOUS—*contd.*

Persons authorised to inspect lodging-house to be deemed public servants	Ben.Act4,1871,s.11A(ins. Ben.Act3,1908, s.9).
Actions for things done under Act: notice of; limitation of; tender of amends	s.36(am.Ben. Act3,1908,s.15).
Ss. 2, 3, 7, 8, 14, and Sch. B of Ben. Act 4, 1871, amended in places to which the Act is extended by notification	Ben.Act2,1879,s.3(rep.pt. Ben.Act3,1908, s.16).

II.—Under Protection of Muhammadan Pilgrims Act, 1895 [Ben. (except Sambalpur District) and E. B.)

Act applies to Muhammadan pilgrims to the Hedjaz	Ben.Act1,1896,s.2.
Act extends *proprio vigore* to Calcutta only, but may be extended by Local Government to any other place	,, s.1.
Definitions	,, s.2.
Licensing of pilgrim-brokers; penalties for misbehaviour of licensed broker or for acting without license	,, ss.3to7.
Appointment, duties and powers of Protectors of Pilgrims	,, ss.8,9.
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Jurisdiction; distress of ship; application of fines; prosecutions	,, ss.15to17.

C.—PORTS OF BOMBAY AND KARACHI.

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Licensing of pilgrim-brokers; penalties for misbehaviour of licensed broker or for acting without license	,, ss.3to7.
Appointment, duties and powers of Protectors of Pilgrims	,, ss.8,9.
Master, etc., of vessel to give information and aid to Protector of Pilgrims; penalties	,, ss.10to12.
Regulations as to issue of tickets; penalties	,, ss.13,14.
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D.—ADEN.

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PILOTS ACT (BRITISH BURMA),[1] 1883 . . . . . Act12,1883.

PILOT.

See INDUS; MERCHANT SHIPPING, 9.

PIRACY ACT, 1850[2] (*See* MERCHANT SHIPPING; NAVY; PIRACY; PRIZE) . . . . . 13-4V.c.26.

PIRACY.

1850. 13-4 V. c. 26 (Rewards for Capture of Pirates).	1878. 41-2 V. c. 73, s. 6 (Piracy on Territorial Waters).

Trial of act of piracy, as defined by law of nations, committed at sea within territorial waters of Her Majesty's dominions . . . 41-2V.c.73,s.6.

[1] Now read "Lower Burma"—*see* Act 13, 1898. s. 7.
[2] This short title was given by 59 & 60 Vict. c. 14.

PIRACY—*contd.*

Jurisdiction of Admiralty and Colonial Courts of Admiralty or Vice-Admiralty Courts to determine questions as to engagements by navy with pirates . . . . . 13-4V.c.26,s.2.

Returns by Courts to Admiralty of cases decided ,, s.3.

Condemnation as droits of Admiralty of ships, etc., taken . . ,, s.5.

Restoration of ships, etc., re-taken from pirates . . . . ,, s.5.

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Further provisions as to prize and salvage. *See* NAVY, 4 (*b*); PRIZE.

,, ,, ,, trial of offences committed at sea, or within Admiralty jurisdiction. *See* SEA.

Pirates are enemies within Army and Navy Discipline Acts. *See* ARMY, 4 (*b*); NAVY, 3 (*b*).

PLACE; definitions of. *See* WORDS AND PHRASES.

PLACES OF PUBLIC RESORT ACT, 1888 (*See* PLACES OF PUBLIC RESORT, ETC.) . . . . . Mad.Act2,1888.

PLACES OF PUBLIC RESORT OR ENTERTAINMENT. *See also* GAMING, 3; POLICE; STREETS, THOROUGHFARES AND PUBLIC PLACES.

1. CALCUTTA AND SUBURBS AND HOWRAH.

Hotels, drinking shops, places of sale or consumption of intoxicating drugs, coffee-houses, boarding-houses, eating-houses, lodging-houses and other places of public resort and entertainment; licensing, regulation and inspection of; penalties . (Cal.)Ben.Act4,1866,ss.35,37to41,62(*1*)(*j*),62(*4*),62A(*1*),(*6*),62B,62C(sub.Ben.Act3,1910,s.16). (Cal.Sub.)Ben.Act2.1866,ss.18,20to24,39(*1*,(*j*),39(*4*),39A(*1*),(*6*),39B,39C(sub.Ben.Act3,1910,)s.16).

Penalty for drunkenness, riotous or indecent behaviour in . (Cal.)Ben.Act4,1866,s.68. (Cal.Sub.)Ben.Act2,1866,s.41. (Howrah)Act21,1857,s.20.

[*See also* MUNICIPALITY, VII, 6 (*t*).]

2. BOMBAY TOWN.

Penalty for drunkenness or disorderly behaviour in or for permitting disorderly behaviour or gaming in, or resort of prostitutes to, or for harbouring deserter in, place of public resort and entertainment . . . . . Bom.Act4,1902,ss.122,124,125.

Hotels, drinking shops, places for sale or consumption of intoxicating drugs, eating-houses, coffee-houses, boarding-houses, lodging-houses and other places of public resort and entertainment; licensing, regulation and inspection of; penalties . ,, ss.22(*1*)(*f*)(*g*),22(*3*),23(*1*),26,127.

3. MADRAS DISTRICTS.

Mad. Act 2, 1888, extends to municipal towns in districts and may be extended by notification to other areas in districts . . . . . Mad.Act2,1888,s.1.

,, ,, ,, does not apply to places of public worship . . . . . s.2.

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PLACES OF PUBLIC RESORT OR ENTERTAINMENT—*contd.*

3. MADRAS DISTRICT—*contd.*

Enclosed places or buildings of or over 500 square feet in area not to be used for public resort or entertainment unless licensed by Chairman of Municipality or Magistrate	Mad. Act 2. 1888, ss. 3, 5.
Provisions as to refusal, grant, revocation and suspension of licenses; appeals; revision by District Magistrate	,, ss. 4 to 10, 12.
Entry and inspection	,, s. 11.
Penalty for breach of license, etc.	,, s. 13.
Power to make rules	,, s. 14.

4. MADRAS CITY.

Places of public entertainment or resort; licensing; inspection and regulation of	Mad. Act 3, 1888, ss. 34, 36 to 40.
Eating-houses, coffee-houses, boarding-houses, lodging-houses, hotels, drinking shops, gymnasia and fencing-schools; licensing, inspection and regulation of	,, ss. 23, 35 to 40.

5. BURMA.

Pwé, billiard saloon and other places of public resort for game or amusement; licensing of, in towns	Bur. Act 3, 1907, ss. 11, 11A.
Power of police, in Rangoon town, to enter and inspect lodging-house, public house, place of public resort and entertainment	Bur. Act 4, 1899, ss. 32, 34.

6. ELSEWHERE.

Regulation of, in Municipalities:

See MUNICIPALITY, *Sub-heading 6.*

PLANTER.

See LABOUR.

PLEADER.

See LEGAL PRACTITIONER, 1, 2, 4.

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Penalty for taking, from child. *See* INFANT.

POISON.

Punishment for negligent conduct with respect to	Act 45, 1860, s. 284.
Act 1, 1904, extends to whole of British India	Act 1, 1904, s. 1.
Power to regulate possession for sale and sale of any specified poison in any municipality or cantonment	,, s. 2.
Provisions relating to white arsenic	,, ss. 3 to 5.
Power to apply to other poisons	,, s. 6.
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POISIONS ACT, 1904. (*See* POISION)	Act 1, 1904.
POLICE ACT, 1861. (*See* CURELTY TO ANIMALS I; DISTURBED DISTRICT; NUISANCE; POLICE I, II; SLAUGHTER OF ANIMALS; STREETS THOROUGHFARES AND PUBLIC PLACES; UNCLAIMED PROPERTY)	Act 5, 1861.

POLICE ACT, 1888 (*See* POLICE I.) . . . . . Act3,1888.
POLICE ACT, (1861) AMENDMENT ACT, 1895. . . . Act8,1895.
,, ,, (BOMBAY DISTRICTS), 1867 . . . Bom.Act7,1867.
,, ,, ,, ,, 1890 . . . Bom.Act4,1890.
,, ,, (CITY OF BOMBAY), 1902 . . . . Bom.Act4,1902.
,, ,, (CALCUTTA), 1866 . . . . . Ben.Act4,1866.
,, ,, (CALCUTTA SUBURBAN), 1866 . . . Ben.Act2,1866.
,, ,, (MADRAS CITY), 1888 . . . . . Mad.Act3,1888.
POLICE-OFFICERS REGULATION (ASSAM), 1883 . . Reg.2,1883.
POLICE.[1]

1805. Ben. Reg. 13 (Rural Police, Cuttack and Midnapur).
1816. Mad. Reg. 1, ss. 1 to 4, 6 (Maintenance of Police, Tanjore District).
1817. Ben. Reg. 20, s. 21 (Village Watchmen, Bengal).
1831. Ben. Reg. 11 (Police-powers of Tahsildars, Agra).
1854. Act 16 (Police-powers of Tahsildars, Agra).
1856. Act 20 (Chaukidars, Ajmere, U. P., Punjab).
1859. Act 24 (Police, Madras Districts).
1861. Act 5 (Ordinary Police).
1865. Mad. Act 5 (Fines, Madras Districts).
1866. Ben. Act 2 (Police, Calcutta Suburbs).
,, Ben. Act 4 (Police, Calcutta).
1867. Bom. Act 8 (Village Police, Bombay).
,, Mad. Act 8, s. 81 (Repeal).
1869. Ben. Act 7 (Ordinary Police, Assam and Bengal).
1870. Act 8, ss. 2, 3 (Female Infanticide).
,, Ben. Act 6 (Village Chaukidars, Assam and Bengal).
1871. Ben. Act 1 (Village Chaukidars, Assam and Bengal).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1873. Act 16 (Village and Road Police, Agra).
1874. Act 15, ss. 4,7 (Laws Local Extent).
,, Reg. 9, s. 3 (Laws, Arakan Hills).
1875. Act 15 (Village Watchmen, Ajmere).
1876. Act 18, s. 3 (Laws, Oudh).
,, Ben. Act 5, s. 375 (Municipalities, Assam).
1880. Act 2, ss. 9, 22 to 24 (Rural Police, Lower Burma).
1881. Bom. Act 4. s. 5 (Village-officers, Sindh).
,, Mad. Act 1 (Police, Madras Ports).
1883. Act 20, s.69 (District Boards, Punjab).
,, Reg. 1 (Rural Police, Assam).
,, Reg. 2 (Magisterial Powers of Police-officers, Assam).
1884. Ben. Act 3, s. 364 (Municipalities, Assam and Bengal).
1885. Act 13, s. 33 (Telegraph).
1886. Reg. 5, s. 17 (Municipalities, Ajmere).
1887. Act 15 (Military Police, Burma).
,, Ben. Act 5 (Rural Police, Chota Nagpur).
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1889. Bom. Act 1, s. 3 (Village Sanitation, Bombay).
,, Mad. Act 3, s. 1 (Town Nuisances).
1890. Ben. Act 3, ss. 129 to 134 (Police, Calcutta Port).
,, Bom. Act 4 (Ordinary Police, Bombay Districts).
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,, Reg. 4 (Military Police, Assam).
1892. Act 5 (Military Police, Bengal).
1894. Reg. 1, ss. 3, 60 (Laws, Angul).
1898. Act 13, ss. 4, 9 (Laws, Burma).
,, Ben. Act 1, s. 2 (Police, Calcutta).
,, Bom. Act 4, ss. 38 to 40 (City of Bombay Improvement).
1899. Bur. Act 4 (Police, Rangoon).
1900. Reg. 1, s. 4 (Chittagong Hill Tracts).
,, U. P. Act 1, ss. 19, 77 (Municipalities).
1901. Reg. 7, s. 13 (Laws, N.-W.Fr.).
1902. Bom. Act 4 (Police, Bombay City).

[1] Ss. 33 and 34 of Bom. Act 7, 1867 (the Bombay District Police Act, 1867), are indexed under "Nuisance." The other sections of the Act are not indexed, because they are in force only in Sindh and will be repealed in that province on the extension of Bom. Act 4, 1890, thereto. Certain section of Bom. Act 4, 1890 have been extended to Sindh: see Bom. local Rules and Orders, Vol. II; Ed. 1898, p. 724.

POLICE—*contd.*

1903. Act 16, s. 49 (Central Provinces Municipalities).
1904. Act 4 (Military Police, N.-W. Fr.).
1905. Ben. Act 6 (Police Superannuation Fund, Calcutta and Suburbs).
1906. U. P. Act 2, ss. 5, 7 (Local and Rural Police Rates).
1907. Reg. 2. s. 48 (Municipalities, Coorg).
1907. Bur. Act 6, ss. 3, 5, 8, 10, 11, 23 to 25, 28, 29 (Villages).
,, Mad. Act 3 (Police, Madras City).
1909. Ben. Act 5, s. 6 (Excise).
1910. Act 15, ss. 16, 17 (Cantonments).
,, Reg. 4 (Rural Police, Santhál Parganas).

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- 2. Appointment, Duties, etc., of Chaukidars.
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V.—MISCELLANEOUS.

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I.—ORDINARY POLICE.

A.—GENERALLY.

1. Preliminary.

Power to extend Act 5, 1861, to any Presidency, Province or place, and to make rules for giving effect to Act there . . . . Act5,1861,s.46.

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the Arakan Hill District (except s.11) . . . . . Reg.9,1874,s.3.

Upper Burma (except the Shan States) . . . . . Act13,1898,s.4,Sch.1.

British Baluchistan . . . . . Reg.1,1890,s.3.

Angul District . . . . . Reg.1,1894,s.3.

Chittagong Hill Tracts . . . . . Reg.1,1900,s.4.

Act 5, 1861, to take effect throughout British India, for purposes of Act 3, 1888 . . . . . Act3,1888,s.2(*6*).

„ „ ss. 1(part), 15, 15A, 16, 46(*2*), (*3*) with certain modifications extended to Calcutta and the Suburbs of Calcutta . . . . . Ben.Act1,1898,s.2,Sch.

„ „ s. 20 not to apply to police-officers appointed under s. 4 in Salween and Arakan Hill Districts of Lower Burma . . . . . Act13,1898,s.9.

„ „ restrictions on application of, to Rangoon Town . Bur.Act4,1899,ss.2(*1*),3.

POLICE—*contd.*

I.—ORDINARY POLICE—*contd.*

A.—GENERALLY—*contd.*

1. Preliminary—*contd.*

Act 3, 1888, extends to whole of British India	Act3,1888,s.1.
,, ,, declared in force in British Baluchistan	Reg.1,1890,s.3.
,, ,, ,, ,, Upper Burma except Shan States	Act13,1898,s.4,Sch.1.
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2. Constitution and Government.

Constitution of force	,, s.2.
Superintendence to vest in Local Government	,, s.3.
Administration vested in Inspector General with Deputies and Assistants, and District Superintendents with Assistants Control by District Magistrate	,, s.4.
Power to create general police-district embracing parts of two or more Presidencies, Provinces or "places," and direct enrolment under Act 5, 1861, of a police-force for service therein; discharge of functions of Local Government, etc., therein	Act3,1888,s.2.
Employment of police-officers beyond the presidency, etc., to which they belong	,, s.3.
Magisterial powers of Inspector General	Act5,1861,s.5.
Appointment, pay and departmental punishment of police-officers	,, ss.2,4,7.
Certificate to be held by police-officer	,, s.8,Sch.
Resignation of police-officer	,, s.9.
Penalty for not surrendering certificate, clothing, etc., on ceasing to be police-officer	,, s.28.
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Diary; keeping and inspection of	,, s.44.
Submission of returns to Local Government	,, s.45.
Authority of District Superintendent of Police over village-police	,, s.47.

3. Powers and Duties of Police-officers.

General powers and duties; police-officers to be deemed always on duty	,, ss.20to24.
Regulation of traffic, etc., public assemblies or processions and of use of music in streets and keeping order in streets, public bathing places and other places of public resort; penalties	,, ss.30, 30A,31,32, 33.
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For other powers and duties, see the appropriate heads in the Index.

4. Additional and Special Police.

Power to depute additional police-officers to keep the peace at cost of applicants	,, ss.13,16.

POLICE—*contd.*

I.—ORDINARY POLICE—*contd.*

A.—GENERALLY—*contd.*

4. Additional and Special Police—*contd.*

Power to appoint additional force in neighbourhood of railway or other works, and recover cost	Act5,1861,ss.14,16.
Power to employ additional police where mischief to telegraph repeatedly committed; recovery of cost from inhabitants	Act13,1885,s.33.
Appointment of residents to act as special police-officers, under penalty; their powers, etc.	Act5,1861,ss.17to19.
Entertainment of extra police under Infanticide Act	Act8,1870,ss.2,3.

See also DISTURBED DISTRICT.

5. Miscellaneous.

Jurisdiction over offences by police-officers	Act5,1861,s.35.
Prosecution under other law not barred, but only one punishment allowed	,, s.36.
Recovery of fines	,, s.37.
Fines imposed under s. 34 to be credited to Municipal Fund	(Co.)Reg.2,1907,s.48(*b*). (C.P.)Act16,1903,s.49(*b*).
Notice of action; tender of amends; no action to lie where officer criminally prosecuted	Act5,1861,s.42.
Plea that act was done under warrant	,, s.43.
Enrolment of village police-officers under Act 5, 1861	,, s.21.
Duties of municipal police enrolled under Act 5, 1861, in United Provinces	U.P.Act1,1900,s.77.

B.—ASSAM.

Magisterial powers of police-officers	Reg.2,1883.

C.—ASSAM, BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL DISTRICT.

Ben. Act 7,1869, applies to the whole of Bengal (except Sambalpur District) and Eastern Bengal	Ben.Act7,1869,s.6.
,, ,, ,, declared in force in the Santhál Parganas	Reg.3,1872,s.3.
,, ,, ,, ,, ,, Chittagong Hill Tracts	Reg.1,1900,s.4.
Constitution of force; repeal of Act 5, 1861, s. 2	Ben.Act7,1869,ss.1,4.
Power of Local Government to divide Bengal into general police-districts, and appoint persons to exercise therein the powers of Inspector General	,, ss.2,3.
Power to employ police out of their own district	,, s.5.
Angul (in Bengal) to be a general police-district; Superintendent to have powers of Inspector General of Police	Reg.1,1894,s.60.

D.—CALCUTTA.

1. Preliminary.

Definitions	Ben.Act4,1866,s.3(am. Ben.Act3,1910,ss.3,4). Act5,1861,s.1(Ext.pt. Ben.Act1,1898,s.2,Sch.

POLICE—*contd.*

I.—ORDINARY POLICE—*contd.*

D.—CALCUTTA—*contd.*

2. Constitution and Government.

Constitution of force	Ben. Act 4, 1866, s. 8 (rep. pt. Ben. Act 3, 1910, s. 34).
Administration to vest in Commissioner of Police; power to appoint Deputies	,, ss. 4, 5, 9.
Magisterial powers of Commissioner and his Deputies	,, ss. 6, 7.
Power of Commissioner to make orders and regulations for government of force	,, s. 9.
Constitution of police-divisions and sections	,, s. 21A (ins. Ben. Act 3, 1910, s. 9).
Appointment, pay and departmental punishment of police-officers	,, ss. 4, 5, 10, 11.
Police-officer not to engage in other employment without permission	,, s. 13A (ins. Ben. Act 3, 1910, s. 7).
Offences by police-officers	Ben. Act 4, 1866, ss. 13B, 13C, 14A (ins. Ben. Act 3, 1910, ss. 7, 8).
Certificate to be held by police-officer	,, s. 13, Sch., Form A (am. Ben. Act 3, 1910, ss. 6, 33).
Resignation of police-officer	,, s. 14.
Surrender of certificate, clothing, etc., on ceasing to be police-officer	,, s. 15.
Police Superannuation Fund: vesting and application of sums standing to the credit of	Ben. Act 6, 1905, s. 3.

3. Powers and Duties of Police-officers.

General duties	Ben. Act 4, 1866, s. 10A (ins. Ben. Act 3, 1910, s. 5).
Execution of warrants	,, s. 25.
Power to inform pawnbroker, dealer in second-hand property, or money-changer, of stolen property; duties of such persons as to securing such property	,, s. 52.
Regulation of traffic, etc., public assemblies or processions and of use of music in streets, and keeping order in streets, public bathing places and other places of public resort; penalties	,, ss. 10A, 62 to 62B (ins. and sub. Ben. Act 3, 1910, ss. 5, 16).
Power to prohibit, for prevention of disorder, indecency, etc., the carrying of weapons, missiles, exhibition of persons, effigies, etc., public utterance of cries, singing of songs, delivery of harangues, exhibition of pictures, symbols, etc.; penalties	,, ss. 62A(2), (3), (6), 62B (sub. Ben. Act 3, 1910, s. 16)
Power to prohibit assembly or procession; penalties	,, ss. 62A(4), (6) 62B (sub. Ben. Act 3, 1910, s. 16).

POLICE—*contd.*

I.—**ORDINARY POLICE**—*contd.*

D.—CALCUTTA—*contd.*

3. Powers and Duties of Police-Officers—*contd.*

Power to reserve temporarily for any public purpose any street or public place; penalties	Ben. Act 4, 1866, ss. 62A(5), (6), 62B (sub. Ben. Act 3, 1910, s. 16).
Prevention of disorder or danger at public places of amusement, etc.; free access of police to such places	,, s. 62C (ins. Ben. Act 3, 1910, s. 16).
Witnesses, attendance before and examination by police-officers; expenses of	,, s. 78A (ins. Ben. Act 3, 1910, s. 25).
Power to search for persons wrongfully confined	,, s. 80A (ins. Ben. Act 3, 1910, s. 27).
Power to cause search to be made by officer in charge of a police-station within or outside Calcutta	,, s. 80B (ins. Ben. Act 3, 1910, s. 28).
Procedure for searches under Act	,, s. 80C (ins. Ben. Act 3, 110), s. 29.
Power to arrest without warrant for offence against Ben. Act 4, 1866; person arrested how to be dealt with	,, ss. 72, 72A, 76 (s. 72 sub. and 76 am. Ben. Act 3, 1910, ss. 21 to 24).
Power to take recognizance; recovery of sum due thereunder	,, ss. 77, 78, 95.
Power to take charge of, and deliver to persons entitled, unclaimed moveable property or moveable property of intestate worth less than Rs. 200; power to take security for due administration and distribution of such property	,, ss. 100, 101 (sub. Ben. Act 3, 1910, s. 30).
Destruction of stray dogs	,, s. 102.
Duties, etc., of Police under Fire Brigade Act. *See* FIRE, 3.	

For other powers and duties, see the appropriate heads in the Index.

4. Additional and Special Police.

Power to appoint additional constables to keep the peace at cost of applicant	,, s. 21.
Quartering of additional police in disturbed or dangerous area at cost of inhabitants	Act 5, 1861, ss. 15, 46(2), (3) (ext. Ben. Act 1, 1898, s. 2, Sch.).
Power of Commissioner to appoint special constables; their powers, etc.; penalty for not serving, etc.	Ben. Act 4, 1866, ss. 18 to 20.
Port Police Force:	
Constitution and control of	Ben. Act 3, 1890, ss. 129 to 131.
Daily reports by Superintendent to Port Commissioners	,, s. 132.
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POLICE—*contd.*

I.—ORDINARY POLICE—*contd.*

D.—CALCUTTA—*contd.*

5. Miscellaneous.

Actions and prosecutions for things done under Ben. Act 4, 1866: limitation; notice; tender of amends; costs, etc.	Ben. Act4,1866,s.99.
Publication of notices	,, s.102A(ins. Ben.Act3,1910, s.31).
Consent of police-officer required under Act how proved	,, s.102B(ins. Ben.Act3,1910, s.31).
Signature of Commissioner of Police may be stamped	,, s.102C(ins. Ben.Act3,1910, s.32).
Award of compensation to sufferers from misconduct of persons in proclaimed areas Recovery of costs of additional police or compensation awarded	Act5,1861,ss.15A,16 (ext.Ben.Act1,1898,s.2, Sch.).
Ben. Act 4, 1866, not affected by Bengal Excise Act, 1909	Ben. Act5,1909,s.6.

E.—CALCUTTA SUBURBS.

1. Preliminary.

Power to exclude suburbs of Calcutta from general police-district, and to alter limits of suburbs	Ben. Act2,1866,s.1.
Definitions	,, s.51(am. Ben.Act3,1910, s.4) Act5,1861,s.1(ext.pt. Ben.Act1,1898,s.2,Sch.).

2. Constitution and Government.

Constitution of force	Ben.Act2,1866,s.2(rep. pt.Ben.Act3, 1910,s.34).
Direction of force to vest in Commissioner of Police for Calcutta; his power to make orders and regulations as to general government, etc.	,, s.3.
Delegation of Commissioner's powers to Deputy Commissioner	,, s.50.
Constitution of police divisions and sections	,, s.15A(ins. Ben.Act3,1910, s.9).
Appointment and departmental punishment of police-officers	,, ss.4,5.
Police-officer not to engage in other employment without permission	,, s.8A(ins. Ben.Act3,1910, s.7).
Offences by police-officers	,, ss.8Bto8D (ins.Ben.Act3, 1910,ss.7,8).
Certificate to be held by police-officer	,, s.8,Sch.(sub. Ben.Act3,1910, s.33).
Resignation of police-officer	,, s.7.

POLICE—*contd.*

I.—ORDINARY POLICE—*contd.*

E.—CALCUTTA SUBURBS—*contd.*

2. Constitution and Government—*contd.*

Surrender of certificate, clothing, etc., on ceasing to be police-officer	Ben. Act 2, 1866, s. 9.
Police Superannuation Fund: vesting and application of sums standing to the credit of	Ben. Act 6, 1905.

3. Powers and Duties of Police-officers.

General duties	,, s. 4A (ins. Ben. Act 3, 1910, s. 5).
Power to inform pawnbroker, dealer in second-hand property, or money-changer, of stolen property; duties of such persons as to securing such property	,, s. 33 (am. Ben. Act 3, 1910, s. 12).
Regulation of traffic, etc., public assemblies or processions, and of use of music in streets, and keeping order in streets, public bathing places and other places of public resort; penalties	,, ss. 4A, 39 to 39B (ins. and sub. Ben. Act 3, 1910, ss. 5, 16).
Destruction of stray dogs	,, s. 42.
Power to arrest without warrant for offence against Ben. Act 2, 1866; person arrested how to be dealt with	,, ss. 43, 43A, 45 (s. 43 sub. ss. 45 46 am. Ben. Act 3, 1910, ss. 22, 23, 24).
Power to take recognizance	,, ss. 46, 47.
Power to prohibit, for prevention of disorder, indecency, etc., the carrying of weapons, missiles, exhibition of persons, effigies, etc., public utterance of cries, singing of songs, delivery of harangues, exhibition of pictures, symbols, etc.; penalties	,, s. 39A (2), (3), (6), 39B (sub. Ben. Act 3, 1910, s. 16).
Power to prohibit assembly or procession; penalties	,, ss. 39A (4), (6), 39B (sub. Ben. Act 3, 1910, s. 16).
,, reserve temporarily for any public purpose any street or public place; penalties	,, ss. 39A (5), (6), 39B (sub. Ben. Act 3, 1910, s. 16).
Prevention of disorder or danger at public places of amusement, etc.; free access of police to such places	,, s. 39 (c) (ins. Ben. Act 3, 1910, s. 16).
Witnesses; attendance before and examination by police-officer; expenses of	,, s. 47A (ins. Ben. Act 3, 1910, s. 25).
Power to search for persons wrongfully confined	,, s. 47B (ins. Ben. Act 3, 1910, s. 27).
Searches under Act; procedure	,, s. 47C (ins. Ben. Act 3, 1910, s. 29).

For other powers and duties, see the appropriate heads in the Index.

POLICE—*contd.*

I.—**ORDINARY POLICE**—*contd.*

E.—CALCUTTA SUBURBS—*contd.*

4. Additional and Special Police.

Power to appoint additional police-officers to keep the peace at cost of applicants	Ben.Act2.1866,s.15
Power of Commissioner to appoint special police-officers; their powers, etc.; penalty for not serving, etc.	,, ss.12to14.
Quartering of additional police in disturbed or dangerous areas at cost of inhabitants	Act5,1861,ss.15,46(2),(3) (ext.Ben.Act1,1898,s.2, Sch.).

5. Miscellaneous.

Recovery and appropriation of fines	Ben.Act2,1866,s.48.
Publication of notices	Ben.Act2,1866,s.49A (ins.Ben.Act3, 1910, s.31).
Consent, etc., of police-officer required under Act how proved	,, s.49B(ins. Ben.Act3,1910, s.31).
Signature of Commissioner of Police may be stamped	,, s.49C(ins. Ben.Act3,1910, s.32).
Award of compensation to sufferers from misconduct of persons in proclaimed area Recovery of costs of additional police or compensation	Act5,1861,ss.15A,16(ext. Ben.Act1,1898,s.2,Sch.).
Ben.Act 2, 1866, not affected by Bengal Excise Act, 1909	Ben.Act5,1909,s.6.

F.—BOMBAY DISTRICT.

1. Preliminary.

Bom. Act 4, 1890, extends to whole of Bombay Presidency, except Sindh, Aden[1] and Bombay City	Bom.Act4,1890,s.1(*1*).
,, ,, ,, may be extended by order to Sindh or Aden [1]	,, s.1(*2*).
Definitions	,, s.3(am.Bom. Act1,1910,s.2).

2. Constitution and Government.

Constitution of force	,, s.4.
Inspector General, with Deputies; appointment, etc., of; direction of force vested in	,, s.5.
District Superintendents, Assistant Superintendents and Deputy Superintendents; appointment, etc., of	,, s.6.
Magisterial powers of Commissioner and Inspector General	,, s.7.
Control by District Superintendent, Inspector General, District Magistrate and Commissioner	,, ss.12to20.
Appointment, pay and departmental punishment of police-officers	,, ss.4to6,8,9, 29to31.
Certificate to be held by Inspectors and officers of lower grade	,, ss.10,11, Sch.B.

[1] Bom. Act 4, 1890, has been extended to Aden by notification under the Scheduled Districts Act, 1874.

POLICE—*contd.*

I.—ORDINARY POLICE—*contd.*

F.—BOMBAY DISTRICT—*contd.*

2. Constitution and Government—*contd.*

Police-officer to continue to be subject to responsibilities on suspension	Bom.Act4,1890,s.11(*3*)(*b*).
Police-officers not to engage in trade or other employment without express permission	,, s.33(am. Bom.Act1,1910, s.2).
Resignation of police-officer	,, s.34(am. Bom.Act1,1910, s.2).
Surrender of certificate, clothing, etc., on ceasing to be police-officer	,, ss.35,37.
Power of Inspector General—	
to make rules or orders as to organization, etc.	,, s.27.
to call for returns, etc.	,, s.28.
Punishments for neglect of duty, etc.	,, ss.29to31 (am.Bom.Act1, 1910,s.2),36.
Power to transfer police-officers to any part of the Presidency	,, s.32.
Penalty for vexatious search, arrest, detention, etc., by police	,, ss.63,64.
Authority of District Superintendent over village police-officers	,, s.76.

3. Powers and Duties of Police-officers.

General duties ; police-officer to be deemed always on duty	,, ss.32,51(*1*), 52,53,55.
General powers	,, ss.48(*c*),54.
Powers of entry and search	,, s.51(*2*),(*3*).
Prevention of disorder or danger at public places of amusement, etc.	,, ss.47,50.
Regulation of traffic, etc., public assemblies and processions and of use of music in or near street and keeping order in streets, public bathing places and other places of public resort	,, ss.39,48,50, 53(s.48am.Bom. Act1,1910,s.2).
Destruction or detention of unmuzzled dogs	,, ss.49,50.
Power to take charge of stray cattle	,, s.56.
,, perform duties assigned to subordinate, and power to control subordinate	,, s.60.
,, prohibit for prevention of disorder, indecency, etc., the carrying of weapons, missiles, etc., exhibition of persons, effigies, etc., public utterance of cries, singing of songs, delivery of harangues, exhibition of pictures, symbols, etc. ; penalties	,, ss.42,54, 61(*h*),68.
,, give order as to possession, etc., of any building, place, etc., for prevention of riot ; penalties	,, ss.43, 54,68.
,, ,, ,, ,, conduct of persons takng part in religious ceremonials in order to prevent disturbance of peace ; order of Civil Court to be given effect to ; penalties	,, ss.44,54,68.
Prevention of disorder or danger at public places of amusement, etc.; free access of police to such places ; penalties	,, ss.47,68.

See ADEN, 3.

For other powers and duties, see the appropriate heads in the Index.

POLICE—*contd.*

ORDINARY POLICE—*contd.*

E.—BOMBAY DISTRICT—*contd.*

4. Additional and Special Police.

Power to depute additional police-officers to keep the peace at cost of applicants	Bom.Act4,1890,	s.22,24.
,, depute additional police to railway or other works, and recover cost		ss.23,24.
Appointment of persons to act as special police-officers; their powers, etc.	,,	s.21.

See also DISTURBED DISTRICT.

5. Miscellaneous.

Penalties for not conforming to direction given by police	,,	ss.65,68,71.
By what Magistrates offences cognizable	,,	s.72.
Prosecution for certain offences to be in discretion of police	,,	s.73.
Prosecutions under other laws not barred	,,	s.74.
Award and recovery of compensation for injury caused by unlawful assembly	,,	s.25A.
Disposal of rewards, etc., payable to police-officers	,,	s.75.
Municipal and other local rates not payable by Government on houses, etc., occupied by police	,,	s.77(*1*).
Proof of orders and notifications	,,	s.78.
Irregularities not to vitiate proceedings	,,	s.79.
No liability for acts done in good faith	,,	s.80(*1*),(*2*).
Limitation of, and notice of, suits, etc., in respect of things done under Act	,,	s.80(*3*)to(*5*).
Application to, and suit against, Local Government for revision of order made by it under Act	,,	s.81.

G.—BOMBAY TOWN.

1. Preliminary.

Bom. Act 4, 1902, extends only to City of Bombay; Acts 13, 1856, and 48, 1860, repealed; saving of rules, appointments, etc.	Bom.Act4,1902,	ss.1,2.
Definitions	,,	s.3.

2. Constitution and Government.

Constitution of force	,,	s.4(rep.pt. Bom.Act1,1910).
Administration to vest in Commissioner of Police; appointment of Commissioner with Deputies and Assistants; powers of Deputy and Assistant Commissioner	,,	ss.5,6.
Appointment, etc., of other members of police-force vested in Commissioner; power of Local Government to make rules	,,	s.7.
Magisterial powers of Commissioner and his Deputies	,,	s.56.
Power of Commissioner to make orders and regulations for organization and government of force	,,	s.12.
Constitution of police divisions and sections: Superintendents and Inspectors of Police	,,	s.11.
Police-officer (except special police-officer) not to engage in other business without permission	,,	s.10.

POLICE—*contd.*

I.—ORDINARY POLICE—*contd.*

G.—BOMBAY TOWN—*contd.*

2. Constitution and Government—*contd.*

Police-officer to continue subject to responsibilities on suspension	Bom.Act4,1902,s.8(3).
Offences by police-officer	,, ss.18to20.
Certificate to be held by police-officer	,, s.8,Sch.B.
Resignation of police-officer	,, s.14.
Surrender of certificate, clothing, etc., on ceasing to be police-officers	,, s.15.
Provisions for accommodation of police; construction, leasing out, etc., of buildings; buildings to vest ultimately in Crown	Bom.Act4,1898,ss.38to40 (s.40am.Bom.Act3,1907, s.23).

3. Powers and Duties of Police-officers.

Power of Commissioner to make rules regulating duties, etc., of police-officers	Bom.Act4,1902,s.13.
General duties	,, s.32.
Police-officer deemed to be always on duty	,, s.16.
Execution of warrants	,, ss.92to99.
Power to inform pawnbroker, dealer in second-hand property, worker in metals or money-changer of stolen property; duties of such persons as to securing such property	,, s.116.
Regulation of traffic, etc., public assemblies and processions and of use of music in streets and keeping order in streets, public bathing places and other places of public resort; penalties	,, ss.22,23,25, 32,127.
Power to prohibit for prevention of disorder, indecency, etc., the carrying of weapons, missiles, etc., exhibition of persons, effigies, etc., public utterance of cries, singing of songs, delivery of harangues, exhibition of pictures, symbols, etc.; penalties	,, ss.23(2),58, 127.
Power to prohibit assembly or procession; penalties	,, ss.23(3),58, 127.
,, reserve temporarily for any public purpose any street or public place; penalties	,, ss.23(4),58, 127.
Power to give order as to possession, etc., of any building or place for prevention of riot, etc.	,, ss.24,58.
,, ,, ,, conduct of persons taking part in religious ceremonials, etc., in order to prevent disturbance of peace; orders of Civil Courts to be given effect to	,, ss.25,58.
Prevention of disorder or danger at public places of amusement, etc.	,, s.26.
Power to interpose for protection of public property, etc.	,, s.31.
Power to arrest without warrant; person arrested how to be dealt with	,, ss.30,33to39.
Power to take recognizance	,, ss.106to110.
Power to seize stolen property	,, s.37.
Power to take charge of, and deliver to persons entitled unclaimed moveable property or moveable property of intestate worth less than Rs. 200; power to take security for due administration and distribution of such property	,, ss.47to49.

POLICE—*contd.*

I.—ORDINARY POLICE—*contd.*

G.—BOMBAY TOWN—*contd.*

3. Powers and Duties of Police-officers—*contd.*

Destruction of stray dogs ; muzzling of dogs	Bom. Act 4, 1902,	s.116.
Power of superior officer to perform duties or supersede, etc., action of inferior officer	,,	s.55.

For other powers and duties, see the appropriate heads in the Index.

4. Additional and Special police.

Power to appoint additional police-officers to keep the peace at cost of applicants	,,	s.9.
Power to appoint special police-officers ; penalty for not serving, etc.	,,	s.10.

5. Miscellaneous.

Penalty for disorderly conduct in police office	,,	s.123.
Prosecutions for certain offences under Bom. Act 4, 1902, discretionary	,,	s.130.
Savings in respect of District and Railway police	,,	s.21.
Disposal of fees, rewards, etc.	,,	s.132.
Orders and notifications how proved	,,	s.133.
Rules, orders, notifications, etc., not invalidated by irregularity or defect of form if in substantial conformity with Act	,,	s.134.
Annulment, reversal or modification of certain orders of Government by memorial to Government or suit	,,	s.135.
Licenses or written permissions : particulars to be mentioned in : to be signed by Commissioner of Police : fees to be paid : revocation of ; to be produced on requisition by police-officer	,,	s.136.
Notices : public notices to be in writing signed by Commissioner of Police : manner of publishing public notice	,,	s.137.
Consent, etc., of police-officer how given	,,	s.138.
Signature of Commissioner of Police may be stamped	,,	s.139.
Suits, prosecutions, etc., for things done in pursuance or intended pursuance of Act ; barred in certain cases ; limitation ; notice ; tender of amends	,,	s.140.

H.—MADRAS DISTRICTS.

1. Preliminary.

Act 24, 1859, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act 15, 1874,	s.4.
,, ,, to take effect in districts notified by Local Government	Act 24, 1859,	s.55.
Definitions	,,	s.1.

2. Constitution and Government.

Constitution of force	,,	s.8.
Superintendence to vest in Local Government	,,	s.4.
Administration vested in Inspector General, with subordinates	,,	s.5.

POLICE—*contd.*

I.—ORDINARY POLICE—*contd.*

H.—MADRAS DISTRICTS—*contd.*

2. Constitution and Government—*contd.*

Magisterial powers of Inspector General and District Superintendent	Act 24, 1859, s. 7.
Appointment, pay and departmental punishment of police-officers	,, ss. 5, 10 (am. Mad. Act 3, 1909, s. 3).
Certificate to be held by police-officer	,, s. 11, Sch., Form A.
Resignation of police-officer	
Police-officer not to engage in other employment without express permission	,, s. 19.
Penalty for not surrendering certificate, clothing, etc., on ceasing to be police-officer	,, s. 20.
Power of Inspector General to issue orders and regulations as to organization, etc.	,, s. 9.
Penalty on police-officer neglecting duty, etc.	,, s. 44.
,, ,, receiving unauthorized fee, etc.	,, s. 45.
,, ,, committing extortion, etc.	,, s. 46.
,, for offence against police-officer	,, s. 47.
General Fund: constitution and application of	,, s. 15.

3. Powers and Duties of Police-officers

General powers	,, s. 6.
,, duties; police to be deemed always on duty	,, s. 21.

For particular powers and duties, see the appropriate heads in the Index.

4. Additional and Special Police.

Power to depute additional police-officers to keep the peace at cost of applicants	,, ss. 13, 15.
,, appoint additional force in neighbourhood of railway or other works, and recover cost	,, ss. 14, 15.
Appointment of residents to act as special police-officers, under penalty; their powers, etc.	,, ss. 16 to 18.

See also below, K.

5. Miscellaneous.

Penalty for personation of police, etc.	,, s. 20.
Jurisdiction over offences	,, s. 50.
Prosecution under other law not barred, but only one punishment allowed	,, s. 51.
Recovery of fines	,, s. 52, Mad. Act 5, 1865.
Mad. Act 3, 1889, ss. 3, 4, to be read with and to form part of Act 24, 1859	Mad. Act 3, 1889, s. 11.
Limitation and notice of actions; tender of amends; no action where officer criminally prosecuted	Act 24, 1859, s. 53.
Plea that act was done under warrant	,, s. 54.
Contributions for maintenance of police in Tanjore	Mad. Reg. 1, 1816, ss. 1 to 4, 6.

POLICE—*contd.*

I.—ORDINARY POLICE—*contd.*

J.—MADRAS CITY:

1. Preliminary.

Definitions	Mad. Act 3, 1888,	s.3.

2. Constitution and Government.

Constitution of force	,,	s.9.
Administration to vest in Commissioner of Police; power to appoint Deputies and Assistants	,,	ss.5,6.
Magisterial powers of Commissioner and his Deputies and Assistants	,,	ss.7,8.
Power of Commissioner to make orders and regulation for government of force	,,	s.10.
Commissioner to be under the control and direction of Inspector General of Police; rules to regulate exercise of control	Mad. Act 3, 1907.	
Appointment and departmental punishment of police-officers	Mad. Act 3, 1888,	ss.5,6,11.
Certificate to be held by police-officer	,,	s.12.
Police officer not to engage in other business without permission	,,	s.23.
Resignation of police-officer	,,	s.13.
Surrender of certificate, clothing, etc., on ceasing to be police-officer	,,	s.14.
Penalty for neglect of duty, etc.	,,	s.15.
Town Police Superannuation Fund; saving of privileges of subscribers to	,,	s.4.
Employment in Madras City of police-officers appointed under Act 24, 1859	,,	s.16.

3. Powers and duties of Police officers.

General duties and powers of police-officers; police-officers to be deemed always on duty	,,	s.23.
Power to arrest without warrant	,,	s.24.
,, search for stolen property, without warrant	,,	s.26.
,, seize property where offence suspected	,,	s.27.
,, deliver list of stolen property to pawnbroker, dealer in second-hand property or worker in metals; duties of such persons as to securing such property	,,	s.28.
Destruction of straying and unmuzzled dogs	,,	s.29.
Power to take charge of, and deliver to persons entitled, moveable property of intestate worth less than Rs. 200	,,	s.30.
Code of Criminal Procedure, ss. 523 to 525, applied to property seized or taken charge of by police	,,	s.31.
Regulation of traffic, etc., public assemblies or processions and of use of music in streets and keeping order in streets, public landing-places and other places of public resort; penalties	,,	s.41.
Impounding of stray animals	,,	s.60.
Powers on occurrence of fire	,,	s.61.
Expenses incurred by police for extinction of fires to be paid by Municipal Commissioners	,,	s.62.

For other powers and duties, see the appropriate heads in the Index

POLICE—*contd.*

I.—ORDINARY POLICE—*contd.*

J.—MADRAS CITY—*contd.*

4. Additional and Special Police.

Power to quarter additional police in disturbed part of City and recover cost from inhabitants	Mad.Act3,1888.	ss.20,22.
Power to appoint additional constables to keep the peace at cost of applicants	,,	ss.21,22.
Power of Commissioner to appoint special constables ; their powers, etc. ; penalty for not serving, etc.	,,	ss.17to19.

See also below, K.

5. Miscellaneous.

License ; penalty for breach of	,,	s.76.
,, fee for	,,	s.77.
Bye-laws ; power to make	,,	s.78.
,, publication of	,,	s.79.
,, penalty for breach of	,,	s.80.
Limitation of actions and prosecutions for things done under Act	,,	s.81.
Prosecutions under other laws not barred, but only one punishment allowed	,,	s.82.

K.—RANGOON TOWN.

1. Preliminary.

Bur. Act 4, 1899, extends to Rangoon Town ; effect of alteration of limits of Rangoon Town	Bur.Act4,1899,	s.1(2),s.4.
,, not to apply to Burma provincial police stationed in Rangoon Town unless serving under Commissioner of Police	,,	s.3.
Definitions	,,	ss.5,24,expln.

2. Constitution and Government.

Constitution of force	,,	s.9.
Superintendence vested in the Local Government	,,	s.6.
Administration, direction and control to vest in Commissioner of Police ; appointment of Commissioner and Superintendents of Police	,,	ss.7-10,12.
Commissioner to appoint other police-officers	,,	s.11.
Magisterial and other powers of Commissioner	,,	s.8(am.Bur. Act4,1907,s.2).
Power of Commissioner to make rules for the government of the force	,,	s.10.
Certificate to be held by police-officer	,,	ss.11,12.
Resignation of police-officer	,,	s.17.
Surrender of certificate, clothing, etc., on ceasing to be police-officer ; penalty for refusing to surrender	,,	s.18.
Police officer not to engage in other employment without express permission	,,	s.14.
Police-officer to continue to be subject to responsibilities on suspension	,,	s.13.

POLICE—*contd.*

I.—ORDINARY POLICE—*contd.*

K.—RANGOON TOWN—*contd.*

2. Constitution and Government—*contd.*

Penalties for breaches of discipline by police-officer	Bur. Act 4, 1899,	s.19.
,, for offences against Act by police-officer: sanction of Commissioner required for prosecution in certain cases	,,	ss.20, 53.
Rangoon Police Reward Fund: constitution and application of	,,	s.21.

3. Powers and Duties of Police-officers.

Superintendents to exercise powers of District Superintendents under Bur. Act I, 1899, s.6.	,, Bur. Act 4, 1907,	s.8A (ins. s.3).
Power of Commissioner to make rules regulating duties of police-officers	,,	s.10.
Police-officer deemed to be always on duty: effect of suspension of powers, privileges, duties, etc., of police-officer	,,	ss.15, 13.
General duties of police-officer	,,	s.16.
Powers of entry and inspection: power to enter pawnshops, lodging houses, etc., places of resort of loose or disorderly characters, places of public resort, etc.	,,	ss.32 to 34.
Power to arrest without warrant	,,	s.36A (ins., Bur. Act 4, 1907, s.4.)
Regulation of public assemblies, traffic and processions and of use of music or carrying of torches, etc., in or near street and keeping order in streets, landing-places and other places of public resort; penalties	,,	ss.37 to 40.
Power to take charge of, and deliver to persons entitled to, moveable property of intestate worth less than Rs. 200; power to take security for due administration and distribution of such property	,,	49.
Powers and duties as regards unclaimed property	,,	ss.45 to 48.

4. Additional and Special Police.

Power to depute additional police-officers to keep the peace at cost of applicants; recovery of cost	,,	ss.22, 26.
,, depute additional police in the neighbourhood of railway and other works, and recover cost	,,	ss.23, 26.
Appointment of persons to act as special police-officers; their powers; penalty for refusing to act; sanction of Commissioner required for prosecution	,,	ss.27 to 29, 53.

See also DISTURBED DISTRICT.

5. Miscellaneous.

Fees for licenses granted by Commissioner of Police under Act	,,	s.44.
Prosecutions: limitation of	,,	s.51.
Notice of suits in respect of things done under Act; bar of suit against person who has been criminally prosecuted for same act	,,	s.52.
Plea that act was done under warrant	,,	s.54.
Power of Local Government to make rules	,,	s.55.

POLICE—*contd.*

I.—ORDINARY POLICE—*contd.*

L.—NORTH-WEST FRONTIER PROVINCE.

N.-W. Fr. Province declared to be a general police-district for purposes of Act 5, 1861	Reg.7,1901,s.13.

M.—MADRAS PORTS.

Power to apply Mad. Act 1, 1881, to ports, and power to withdraw Act from ports	Mad.Act1,1881,ss.1,13,14.	
Power to apply Mad. Act 1, 1881, to passenger-boats	,,	s.13.
Mad. Act 1, 1881, not to apply to mail-boats	,,	s.10.
Power to require owners of cargo-boats to levy charge for maintenance of special police; payment of sums levied to Government	,,	ss.2,8,9.
Police-officer to be carried on each cargo-boat; penalties	,,	ss.3to5.
Weekly return of trips made by boats; penalties	,,	ss.6,7.
General powers of police-officers under Act	,,	s.11.
Code of Criminal Procedure to apply to fines and punishments awarded under Mad. Act 1, 1881	,,	s.12.

N.—OTHER PORTS.

Aden.	*See* PORT COMMISSIONERS OR TRUSTEES, II, 7.
Calcutta.	,, ,, ,, ,, ,, IV, 4, 7.
Chittagong.	,, ,, ,, ,, ,, V, 7.
Karachi.	,, ,, ,, ,, ,, VI, 7.
Rangoon.	,, ,, ,, ,, ,, VIII, 7.

II.—CHAUKIDARS (WATCHMEN).

A.—AJMERE, NORTH-WEST FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES.

1. Preliminary.

Act 20, 1856 (Chaukidars), declared in force—	
throughout Agra except as regards the Scheduled Districts	Act15,1874,s.7.
in Oudh (with modifications, and with the exception of s. 40)	Act18,1876,s.3.
Act 22, 1871 (amending Act 20, 1856), declared in force in Oudh (with modifications, and with the exception of s. 6)	,, s.3.
Act 20, 1856, repealed in—	
municipalities in Ajmere	Reg.5,1886,s.17(2).
,, in United Provinces	Act15,1883,s.17(2). U. P.Act1,1900,s.19.
notified areas under District Boards in Punjab and N.-W. Fr.	Act20,1883,s.69.
Exclusion from authority of Local Boards in United Provinces areas in which Act 20, 1856, is in force	Act14,1883,s.3(2).
Power to extend Act 20, 1856, to cantonments; Cantonment Magistrate to exercise powers of Magistrate; nature of tax to be levied under s. 10	Act15,1910,s.16.
Restriction of taxation under Act 15, 1910, in cantonment in which Act 20, 1856, is in force	,, s.17.
Definitions	Act20,1856,s.61.
Power to apply Act 20, 1856, to cities, stations, towns, suburbs or bazars, by notification	,, s.2.

POLICE—*contd.*

II.—CHAUKIDARS (WATCHMEN)—*contd.*

A.—AJMERE, NORTH WEST FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCE—*contd.*

1. Preliminary—*contd.*

Power to form unions and define limits of unions, cities, etc.	Act20,1856ss.3,4.
Panchayat to cease to exist in local area on establishment of Municipal Board	U.P.Act1,1900,s.19.

2. Appointment Duties, etc., of Chaukidars.

Chaukidars :		
Number, grades and wages of	,,	ss.7,8.
Appointment and registry of	,,	s.32.
Panchayet to report misconduct, death, etc., of	,,	s.30.
Jemadars and inspectors for supervision and control of chaukidars : Appointment of	Act20,1856,s.33.	
Chaukidars, jemadars and inspectors :		
General powers and duties of	,,	ss.50,51.
Power of, to arrest without warrant	,,	s.52.
Assistance to be given to, in effecting arrest	,,	s.53.
Payment of	,,	s.54.
When employed out of district for which appointed, not to be paid out of rates levied for that district	Act5,1861,s.21.	
Penalty for misconduct or neglect of duty by	Act20,1856,s.55.	

3. Taxation for maintenance of Chaukidars.

All occupiers of houses liable to tax for maintenance of chaukidars	,,	ss.4,5.
Naming of streets and numbering of houses for purposes of taxation	,,	s.6.
Tax to be assessment on persons or rate on houses and grounds	,,	s.10.
Sum to be raised how determined	,,	s.9.
Limitation of tax	,,	s.11.
Rate how to be ascertained	,,	s.12.
Panchayats for settling tax :		
Constitution and duties of	,,	ss.14to17, App.A,Ap.B.
Who to serve on	,,	s.26.
Penalty for not serving on	,,	s.24.
Duration of, and of service of members on	,,	s.27.
Removal of members ; filling of vacancies	,,	ss.28,29.
Assumption by Magistrate of duties of	,,	s.25.
Sadr panchayat ; appointment and duties of	,,	s.31.
Publication of tax, as settled	,,	s.18,App.C.
Power to make exemptions	,,	s.13.
Continuance of tax till revised	,,	s.19
Appeal against tax	,,	s.20.
Revision of tax	,,	ss.21to23.
Register of persons and property taxed	,,	s.37.

POLICE—*contd.*

II.—CHAUKIDARS (WATCHMEN)—*contd.*

A.—AJMERE, NORTH-WEST FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES—*contd.*

3. Taxation for maintenance of Chaukidars—*contd.*

Appointment of tax-collectors, etc.; security to be taken from them	Act 20, 1856,	s.34.
Collection of tax	,,	ss.38, 40 to 42, App. D, E.
Remittance of collections to Magistrate	,,	s.39.

4. Miscellaneous.

Departmental punishment of officers	,,	s.55.
Chaukidari Fund: constitution of; certain moneys to be credited to	,,	ss.39, 57.
Appropriation of surplus funds to conservancy, lighting, etc.	,,	s.36.
Power of Magistrate to incur contingent expenses	,,	s.35.
Control by Commissioner and Local Government	,,	s.59.
Village-watchmen in Ajmere:		
Power to establish system of village-watchmen and to make rules as to their organization, duties, etc., and as to imposition of tax for payment of charges	Act 15, 1875,	s.2(39A).
Obligation to assist village-watchmen	,,	s.2(39B).
Power to direct discharge of duties of watch and ward in village or town by ordinary police, and imposition of taxes for payment of charges	,,	s.2(39C).
Assessment and collection of such taxes	,,	s.2(39D to 39F).
Power to make rules; penalty for breach of rules	,,	s.3(50, 50A, 50B).

Village-watchmen in Punjab. *See* PUNJAB, 4.

Village watchmen in N.-W. Fr. *See* NORTH-WEST FRONTIER PROVINCE, 4.

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT), EASTERN BENGAL AND ASSAM.

1. Preliminary.

Ben. Act 6, 1870, to apply in districts or sub-divisions notified	Ben. Act 6, 1870,	s.68.
Definitions	,,	s.1.

2.—Appointment, Duties, etc. of Chaukidars.

Chaukidars:		
Number and salaries of	,,	ss.11, 12.
Appointment and dismissal of	,,	s.35.
General duties of; power to arrest	,,	s.39, Sch. B.
Disposal of persons arrested by	,,	s.40.
Payment of	,,	ss.43, 44.
Realization of pay of, from members of panchayat, and reimbursement of such members	,,	ss.45, 46.
Penalty for misconduct or neglect of duty by	,,	s.38.

POLICE—*contd.*

II.—CHAUKIDARS (WATCHMEN)—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT), EASTERN BENGAL AND ASSAM—*contd.*

3. Taxation for maintenance of Chaukidars.

All owners or occupiers of houses in village, etc., liable to assessment for maintenance of chaukidars	Ben.Act6,1870,ss.13,14.
Panchayats for settling tax :	
Appointment of members of panchayat for village	,, ss.3,5,7,9B.
Power to declare areas or groups of dwellings to be "villages"	,, s.4.
Removal of members of	,, s.10.
Filling of casual vacancies among members of	,, s.6.
Penalty for not serving an panchayat	,, s.8.
Term of office of members of	,, s.9.
Exemption from service on	,, s.9A.
Panchayat to impose annual assessment	,, s.13.
Panchayat to control chaukidars ; members to report offences in default of chaukidar	,, s.41,Sch.B.
Assumption by District Magistrate of powers of	,, s.62.
Assessment ; nature and amount of	,, s.15.
,, time and form of ; list of persons assessed	,, s.16. Ben.Act1,1871,s.2.
,, revision of	Ben.Act6,1870,ss.17,19, 20,47.
,, commencement and duration of	,, s.18. Ben.Act1,1871,s.3.
,, continuance of existing	Ben.Act6,1870,s.17.
,, payable quarterly in advance	,, s.21.
,, collection of	,, ss.22,25to34, Sch.A. Ben.Act1,1871,s.4.
,, appointment, powers and remuneration of tahsildar to assist in collecting	Ben.Act6,1870,ss.46A, 46B.
,, reduction of, by amount of surplus collections	,, s.24.
Chaukidari Fund ; constitution of	,, s.23.

4. Miscellaneous.

Chaukidari chakaran lands :	
Commission to determine what lands assigned for maintenance of officer to keep watch in village ; appointment, powers and duties of	,, ss.58to61.
Transfer of, to zamindar	,, ss.48,50,51, Sch.C.
Right to service from occupier of land to cease on such transfer	,, s.57.
Assessment of, and collection of assessment	,, ss.49,50,52 to56,Schs.C,D.
Saving as to certain lands	Ben.Act6,1870,s.67.
Application of Ben. Act 6, 1870, ss. 48 to 61, to lands assigned for benefit of municipality	(As.)Ben.Act5,1876,s.375. Ben.Act3,1884,s.334.
Delegation of District Magistrate's powers under Act	Ben.Act6,1870,s.3A.

POLICE—*contd.*

II.—CHAUKIDARS (WATCHMEN)—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT), EASTERN BENGAL AND ASSAM—*contd.*

4. Miscellaneous—*contd.*

District Chaukidari Reward Fund :
Fines to be credited to . . . . . } Ben.Act6,1870,s.42.
Control over, to rest with District Magistrate . . . }
Actions for things done under Act : notice of ; limitation of . „ s.63.
Control by Commissioner . . . . . „ s.64.
Power of Local Government to make rules . . . . . „ s.65.
Zamindar's duty to report offences not affected by Act . . „ s.66.

C.—BENGAL (EXCEPT SAMBALPUR DISTRICT).

Registration of . . . . . Ben.Reg.20,1817,s.21(*1*).
Subordination of, to darogha . . . . . „ s.21(*2*),(*7*).
Reports by . . . . . „ s.21(*3*)to(*6*).
Arrest by . . . . . „ s.21(*5*).
Punishment of . . . . . „ s.21(*7*).
To be employed only on police-duties . . . . . „ s.21(*8*).
To work with regular police-officers and private watchmen . „ s.21(*9*).
To resist and apprehend offenders ; assistance to be afforded them } „ s.21(*10*).
by villagers . . . . . }
Ben. Reg. 20, 1817, s. 21, repealed—
in villages to which Ben. Act 6, 1870, applies and in which a . { Ben.Act6,1870,s.2.
chaukidar is appointed . . . . . { Ben.Act1,1871,s.1.
in places to which Ben. Act 5, 1887, applies . . . . . Ben.Act5,1887,s.38.

D.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT (BENGAL).

Village Watchmen. *See* LAND-REVENUE, XI, 4 (*c*).

III.—RURAL POLICE.

A.—ASSAM.

Reg. 1, 1883, extends to Sylhet and Cachar Districts and may be } Reg.1,1883,s.1.
applied to other districts . . . . . }
Local repeal of Reg. 1, 1883 . . . . . { Ben.Act6,1870,s.2.
Ben.Act1,1871,s.1.
Definitions . . . . . Reg.1,1883,s.2.
Rural police-circles and beats : constitution of . . . . „ ss.4,5.
Panchayat ; appointment of, for each police-circle . . . „ s.6.
Policemen :
Existing, continuance of . . . . . „ s.11.
One to be appointed for each beat . . . . . „ s.5.
Procedure for appointment of . . . . . „ ss.7to9.
Departmental punishment of . . . . . „ s.10.
Payment of, by owners or occupiers of houses ; recovery of } „ ss.12to17.
contributions when not paid . . . . . }
General duties and powers of arrest by . . . . . „ s.18,Sch.
Resignation of . . . . . „ ss.19,20.

POLICE—*contd.*

III.—RURAL POLICE—*contd.*

F.—AGRA.

1. Police-powers of Tahsildars.

Ben. Reg. 11, 1831, ss. 2, 5 and 6, declared in force throughout Agra, except as regards the Scheduled Districts	Act 15, 1874, s. 7 and Sch. 5.
" " " extended to Benares	Act 16, 1854, s. 3.
Act 16, 1854, declared in force throughout Agra, except as regards the Scheduled Districts	Act 15, 1874, s. 7.
Power of Local Government to invest tahsildars with powers of police-daroghas	Ben. Reg. 11, 1831, s. 2.
Employment of chaprassis, etc., by tahsildars so invested	" s. 5.
Subordination of police-daroghas to tahsildars so invested	Act 16, 1854, s. 2.
Publication of statement of establishments, etc.	Ben. Reg. 11, 1831, s. 6.

2. Village and Road Police.

Appointment of village-police	Act 16, 1873, ss. 3 to 6.
" road-police	" s. 7.
Cost of maintenance; power to appropriate from proceeds of local rate, to meet	U.P. Act 2, 1906, ss. 5, 7.
Duties of; power to make arrests	Act 16, 1873, s. 8
Disposal of persons arrested by	" s. 9.
Punishment of	" ss. 10, 11.
Fines to be credited to appointed Fund	" s. 12.
Control by Commissioner	" s. 13.
Power of Local Government to make rules	" s. 14.

G.—SANTHAL PARGANAS (BENGAL).

Reg. 4, 1910, extends to whole of the Santhal Parganas; power to vary local extent within the parganas	Reg. 4, 1910, ss. 1, 2.
Definitions	" s. 3.
Division into villages and circles for purposes of Regulation 4, 1910	" s. 4.
Sardar and deputy sardar, appointment of; powers of deputy sardar	" ss. 4, 5.
Chaukidars; number of, for each village	" ss. 5, 6.
Amount required for salaries and equipments of sardars, deputy sardars and chaukidars to be determined by Deputy Commissioner; maximum salaries payable	" s. 7.
where payable by zamindars or under-tenure-holders	" s. 8.
with certain addition for collection charges, etc., to be raised by assessment on the village in other cases	" s. 9.
mode of assessment, collection of assessment and realization from defaulters by distress and sale of moveable property	" ss. 10, 22.
Delegation of powers of Deputy Commissioner	" s. 23.
Fines levied from sardars and chaukidars to be credited to District Chaukidari Reward Fund	" s. 24.
Rules	" s. 25.

POLICE—*contd.*

III.—RURAL POLICE—*contd.*

H.—OTHER PROVINCES.

Madras. *See* VILLAGE, F, 1.
Oudh. *See* OUDH, 5.

IV.—MILITARY POLICE.

A.—ANDAMAN AND NICOBAR ISLANDS.

Definitions . . . . . Reg.2,1888,s.2,Sch.
Enrolment and discharge of officers . . . . . ,, s.3,Sch.
Classes and grades of officers . . . . . ,, s.4.
Punishments . . . . . ,, ss.5,6.
,, departmental . . . . . ,, s.7.
Place of imprisonment . . . . . ,, s.8.
Magisterial powers of Commandant . . . . . ,, s.9.

B.—ASSAM.

Definitions . . . . . Reg.4,1890,s.3.
Enrolment and discharge of officers . . . . . ,, s.10,Sch.
Punishments . . . . . ,, ss.4to6.
,, departmental . . . . . ,, s.7.
Place of imprisonment . . . . . ,, s.8.
Magisterial powers of Commandant . . . . . ,, s.9.

C.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

Definitions . . . . . Act5,1892,s.2,Sch.
Enrolment and discharge of officers . . . . . ,, s.3,Sch.
Classes and grades of officers . . . . . ,, s.4.
Punishments . . . . . ,, ss.5,6.
,, departmental . . . . . ,, s.7.
Place of imprisonment . . . . . ,, s.8.
Prosecutions under other laws not barred, but only one punishment allowed . . . . . ,, s.9.
Magisterial powers of officers . . . . . ,, s.10.
Commandant and Second-in-Command :
Disciplinary powers of, over other than military police-officers ,, s.11.
Special privileges of . . . . . ,, s.12.
Power of Local Government to make orders and rules . . ,, s.13.
Quasi-military police, Chittagong Hill Tracts Frontier. *See* FRONTIER, D, 2.

D.—BURMA.

Act 15, 1887, applies to whole of Burma except the Shan States[1] Act15,1887,s.1.
Definitions . . . . . ,, s.3,Sch.
Enrolment and discharge of officers . . . . . ,, s.4,Sch.
Grades of officers . . . . . ,, s.5.
Punishments . . . . . ,, ss.6to8.

[1] Act 15, 1887, has been extended to the Shan States by notification.

POLICE—*contd.*

IV.—MILITARY POLICE—*contd.*

D.—BURMA—*contd.*

Punishments, departmental	Act,15,1887s.9.
Place of imprisonment	,, s.10.
Magisterial powers of officers	,, s.11
Power of Commandant and others to arrest and confine military police-officers	,, s.11A(ins. Bur.Act2,1901,s.2).
Commandant and Second-in-Command :	
Disciplinary and other special powers of	,, s.12.
Special privileges of	,, s.13.
Power of Local Government to make orders and rules as to organization, etc.	,, s.14.

E.—NORTH-WEST FRONTIER PROVINCE.

Act 4, 1904, extends to N.-W. Fr. and applies also to every member of the Force wherever he may be serving	Act4,1904,s.1.
Definitions	,, s.2.
Border Military Police-force; power to maintain	,, s.3.
,, ,, ,, constitution, superintendence, control and administration of	,, ss.4,7.
Appointment of officers and men	,, ss.5,6.
Military Police-officers bound to serve both within and beyond British India; general duties of	,, s.13.
,, ,, ,, general police powers and duties may be conferred or imposed on	,, s.14.
,, ,, ,, resignation and withdrawal from Force	,, s.12.
,, ,, ,, offences and punishments; place of imprisonment	,, ss.8to11.
Jurisdiction in respect of offences: criminal powers exercisable beyond British India	,, ss.16,17.
Suits and proceedings against military police-officer; notice of suit; limitation; defence that act was done under warrant or order of competent authority valid notwithstanding defect in jurisdiction	,, s.15.
Power to make rules	,, s.19.
Power to apply provisions of Act and rules to Border Militia or other bodies enrolled for similar service on frontier	,, s.18.

V.—MISCELLANEOUS.

Police in cantonments. *See* CANTONMENT, 1.

Police in municipalities:

See under MUNICIPALITY, (*sub-heading* "POLICE").

Frontier Police, Chittagong Hills. *See* CHITTAGONG HILL TRACTS.

Police on Punjab Frontier. *See* FRONTIER E, 3.

Certain police in Ajmere. *See* AJMERE, 3, 4.

Port and River Police. *See* PORT COMMISSIONERS AND TRUSTEES.

POLICY OF INSURANCE.

Fire :

Certain damages done by members of fire brigade or police to be deemed damage by fire within the meaning of policy . . . Act20,1891,s.173(3). Bom.Act3,1888,s.363. Bur.Act3,1898,s.139(3). (Mad.City)Mad.Act3, 1888,s.61. U.P.Act1,1900,s.179(3).

Fire or Marine :

Rights under policy to vest in assignee . . . . . Act4,1882,s.135.

Marine :

Requisites to validity of ; stamp-duty on . . . . . Act2,1899,s.7,Sch.1,No. 47A.

Life. *See* MARRIED WOMAN.

POONA DISTRICT. *See* DEKKHAN, ETC., 1.

PORAHAT ESTATE ACT, 1893 . . . . . Act2,1893.

PORAHAT ESTATE.

To form part of the Singbhum District, and to be a Scheduled District . . . . . Act2,1893,ss.2,3.

Validation of past proceedings in . . . . . ,, s.4.

PORT ACT (CALCUTTA), 1890. (*See* PORT ; PORT COMMISSIONERS) . . . . . Ben.Act3,1890.

PORTS ACT (INDIAN), 1908. (*See* PORT) . . . . . Act15,1908.

PORT.

1863. Mad. Act 5 (Piers).
1867. Ben. Act 3 (Crews ; Police-charges).
1871. Mad. Act 7 (Piers).
1878. Act 8, ss. 11 to 14 (Sea-Customs).
1882. Bom. Act 7, (Landing and Shipping Fees).
1885. Mad. Act 3 (Landing and Shipping Places).
1886. Bom. Act 6, ss. 3, 28, 54 (Karachi Port Trustees).
1887. Ben. Act 4, s. 3 (Chittagong Port Commissioners).
1888. Bom. Act 5, ss. 3, 26, 51 (Aden Port Trustees).
,, Mad. Act 3, s. 3 (Landing and Shipping Places).
1890. Ben. Act 3, ss. 123, 124 (Calcutta Port Commissioners).
1901. Act 2, ss. 3, 4 (Tolls, Army).
1905. Bur. Act 4, s. 5 (Port, Rangoon).
,, Mad. Act 2, ss. 5, 31 (Port Trustees, Madras).
1908. Act 15 (Ports).

I.—GENERAL.

1. Preliminary.
2. Appointment and fixing of limits of Ports.
3. Port Officials and their powers and duties.
4. Safety of Shipping and Conservation of Ports.
5. Port Dues, Fees and Charges.
6. Miscellaneous.

II.—LANDING AND SHIPPING PLACES IN PORTS.

A.—Bombay Ports.
B.—Madras Outports.
C.—Madras Piers.

I.—GENERAL.

1. Preliminary.

Ports to which Ports Act, 1908, extends *proprio vigore* . . . Act15,1908,s.1,Sch.1.

Power of Local Government to extend Ports Act, 1908, to ports and withdraw Act therefrom . . . . . Act15,1908,s.4.

PORT—*contd.*

I.—GENERAL—*contd.*

1. Preliminary—*contd.*

Sea Customs law, and certain ships and rights, not affected by Ports Act, 1908.	Act15,1908,s.2.
Definitions. *See also* WORDS AND PHRASES	„ ss.3,4(*4*). Ben.Act3,1867,s.1.
Ben. Act 3, 1867, to be construed as part of Ports Act	Ben.Act3,1867,s.19.

2. Appointment and fixing of limits of Ports.

Appointment and fixing of limits of ports for purposes of Sea Customs Act, 1878	Act8,1878,ss.11to14.
Limits to be defined in extending Ports Act, 1908, to port	Act15,1908,s.4(*2*)to(*4*).
Power to alter limits of ports in which Ports Act, 1908, is in force	„ s.5.
Power to define limits of port for purposes of—	
Aden Port Trust Act	Bom.Act5,1888,s.3.
Bombay Landing and Wharfage Fees Act	Bom.Act7,1882,s.5(*a*).
Chittagong Port Commissioners Act	Ben.Act4,1887,s.3.
Karachi Port Trust Act	Bom.Act6,1886,s.3.
Madras Outports Landing and Shipping Fees Act	Mad.Act3,1885,s.3(*1*).
Madras Port Trust Act	Mad.Act2,1905,s.5(*10*).
Rangoon Port Act	Bur.Act4,1905,s.5.

3. Port Officials and their powers and duties.

Appointment and control of Conservator	Act15,1908,s.7.
Subordination of harbour-master to Conservator	„ s.7(*3*).
Power of Conservator—	
to give directions for carrying out port-rules	„ s.8.
to cut warps and ropes	„ s.9.
to remove obstructions and sell materials	„ ss.10,11,64.
to raise, remove or destroy wrecked vessel	„ s.14.
Duty of Conservator in removing lawful obstructions; compensation	„ s.12.
„ „ to assist in clearing vessel fouling Government mooring	„ s.13.
Power of Conservator and others to board vessels or enter buildings, etc.	„ s.15.
Power of Conservator or Port Officer to require crews to prevent or extinguish fire	„ s.16.
Health Officer: appointment and powers of	„ s.17.
Powers of Conservator exerciseable by other officials under his control	„ s.66(*1*).
Power of officials to call assistance	„ s.66(*2*).
Indemnity to Government against act or default of port official or pilot, etc.	„ s.18.
Application of Calcutta Port Act, 1890, to works executed by Calcutta Port Commissioners as Conservators under Ports Act	Ben.Act3,1890,s.123(*2*).

4. Safety of Shipping and Conservation of Ports.

Penalty for injuring, etc., buoy, etc.	Act15,1908,s.19.
„ „ unlawfully loosening vessel from moorings	„ s.20.

PORT—*contd.*

I.—GENERAL—*contd.*

4. Safety of Shipping and Conservation of Ports—*contd.*

Penalty for improperly discharging ballast, etc. . . . . Act15,1908,ss.21,64.
" " unlawfully graving vessel . . . . . " s.22.
" " " boiling, etc., pitch, etc. . . . . " s.23.
" " drawing spirits by unprotected artificial light . . " s.24.
Warping . . . . . " ss.25,26.
Penalty for unlawfully discharging firearm . . . . . " s.27.
" on master omitting to take order to extinguish fire . " s.28.
" for unlawful creeping, sweeping for anchors, etc. . . " s.29.
" for unlawfully removing stones, etc., or injuring shores of port . . . . . " s.30.
" for moving vessels of certain tonnage without pilot or permission of harbour-master . . . . . " s.31.
Vessels of certain tonnage to be provided with fire-extinguishing apparatus . . . . . " s.32.
Ss. 31 and 32 to apply only to ports to which specially extended. " ss.1(3),4(1)(b).
Penalty for not having sufficient crew on vessel lying in port; exceptions . . . . . Ben.Act3,1867,ss.2to6, Schs.I,II.
Power of Local Government to make port-rules . . . . Act15,1908,s.6.

5. Port Dues, Fees and Charges.

General exemption of vessels transporting troops, horses, baggages, effects, etc., of troops and carriages belonging to Government or employed in military service . . . . . Act2,1901,ss.3,4(1).
Port-dues imposed; power of Local Government to declare what vessels chargeable, highest rates leviable, and times at which vessels chargeable . . . . . Act15,1908,s.33,Sch.I.
Power of Local Government to exempt vessels from port-dues or vary rates . . . . . " s.34.
Power to charge fees for pilotage and certain other services . " s.35.
Receipt, expenditure, and account of port-charges; Port Fund; temporary investment of balances unappropriated by local law " s.36.
Grouping of ports for purposes of Port Fund . . . . . " s.37,Sch.I.
Receipts to be given on payment of port-charges . . . . " s.38.
Master to report arrival of vessel liable to port-dues . . . " s.39.
Power of Conservator to ascertain draught of vessel for purposes of payment of port-dues . . . . . " s.40.
Tonnage of vessels how to be ascertained for purposes of payment of port-dues . . . . . " s.41.
Recovery of port-charges . . . . . " ss.42to44.
Penalty for evading payment of port-charges; proof of evasion; jurisdiction . . . . . " s.45.
Reduction of port-dues in case of vessels arriving in ballast or not discharging or taking in cargo . . . . . " ss.46,47.
Port-due not chargeable on—
vessel entering port in Madras Presidency and leaving without discharging or taking in passengers or cargo . . " s.48(c).
pleasure-yacht, or vessel re-entering port on account of stress of weather or damage . . . . . " s.48(a),(b).

PORT—*contd.*

I.—GENERAL—*concld.*

5. Port Dues, Fees and Charges—*concld.*

Power of Local Government—

to charge cost of police on Port Fund of port in or abutting on municipal town . . . . . Ben.Act3,1867,ss.8,9.

to impose police port-dues . . . . . „ s.10,Sch.III.

Hospital port-dues:

Power of Local Government to impose, and to exempt certain vessels from payment of . . . . . Act15,1908,s.49.

Application of; account of . . . . . „ s.50.

Power to compound for dues imposed under Ben. Act 3, 1867; power of Local Government to vary such dues; imposition or increase of such dues when to take effect . . . . Ben.Act3,1867,ss.14to16.

Port dues, fees and charges received by Calcutta Port Commissioners under Ports Act, 1889, to be included in their estimates and accounts . . . . . Ben.Act3,1890,s.122(*1*).

Charge to which Calcutta Port Commissioners are liable in respect of port-dues and fees deemed to be included in debt to Government . . . . . „ s.124.

Transfer of properties to—

Aden Port Trustees . . . . . Bom.Act5,1888,ss.26,51.

Karachi Port Trustees . . . . . Bom.Act6,1886,ss.28,54.

Madras Port Trustees . . . . . Mad.Act2,1905,s.31.

6. Miscellaneous.

Hoisting of signals on vessel arriving within signal distance of signal station in river Hooghly or in other river or channel leading to port . . . . . Act15,1908,ss.51to53.

Hoisting unlawful colours in port . . . . . „ s.62.

Arrest of foreign deserter . . . . . „ s.63.

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Offences by whom triable, and penalties how recoverable . . „ s.55. Ben.Act3,1867,s.17.

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Obstructions to navigation in fairways leading to ports. *See* FAIRWAYS.

II.—LANDING AND SHIPPING PLACES IN PORTS.

A.—Bombay Ports.

Act applies only to ports to which it is extended by Local Government . . . . . Bom.Act7,1882,s.2.

PORT—*concld.*

II.—LANDING AND SHIPPING PLACES IN PORTS—*concld.*

A.—Bombay Ports—*concld.*

Power to define limits of port, determine the landing-places to which Act shall apply and define their limits, and withdraw Act from ports	Bom.Act7,1882,s.5(*a*)to(*d*).	
Definitions	,,	s.4.
Power to fix fees for use of landing-places, etc., and to exempt goods, etc., from payment of fees	,,	s.5(*e*).
Exhibition of table of fees	,,	s.8.
Power to make bye-laws as to use and management of landing-places, etc.	,,	s.9.
Application of fees	,,	s.10.
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B.—Madras Outports.

Act applies to outports in which it is declared in force by Local Government	Mad.Act3,1885,s.1.	
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C.—Madras Piers.

Power to extend Mad. Act 5, 1863, and Mad. Act 7, 1871, to piers other than the Madras Pier, to which alone the former Act *proprio vigore* applies	Mad.Act7,1871,s.7.	
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Appointment of toll-keeper and establishment	,,	s.3.
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PORT COMMISSIONERS ACT (CHITTAGONG), 1887 . . Ben.Act4,1887.

PORT COMMISSIONERS OR TRUSTEES.

1878. Act 8, ss. 85, 207 (Sea-Customs).
1879. Act 11, s. 8 (Local Authorities Loans).
,, Bom. Act 6 (Bombay Port Trustees).
1880. Ben. Act 3 (Howrah Bridge, etc.).
1886. Bom. Act 6, (Karachi Port Trustees).
1887. Ben. Act 4 (Chittagong Port Commissioners).
1888. Bom. Act 5 (Aden Port Trustees).
1890. Ben. Act 3 (Calcutta Port Commissioners).
1901. Act 2, ss. 3, 4 (Tolls, Army).
1905. Bur. Act 4 (Rangoon Port).
,, Mad. Act 2 (Madras Port Trustees).

I.—GENERAL
II.—ADEN PORT TRUSTEES
III.—BOMBAY PORT TRUSTEES
IV.—CALCUTTA PORT COMMISSIONERS.
V.—CHITTAGONG PORT COMMISSIONERS.
VI.—KARACHI PORT TRUSTEES
VII.—MADRAS PORT TRUSTEES
VIII.—RANGOON PORT COMMISSIONERS.

1. Preliminary.
2. Constitution of Commissioners or Board of Trustees.
3. Rights, Powers and Duties of Commissioners or Board of Trustees.
4. Finance.
5. Conduct of Business.
6. General Powers of Official Control.
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I.—GENERAL.

Power of Customs Collector to permit master to discharge cargo into custody of ship's agents for landing at landing-place or wharf belonging to Port Commissioners or Port Trust; goods not to be removed from such landing-place or wharf without order from Customs Collector . . . . . Act 8, 1878, s. 85.
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II.—ADEN PORT TRUSTEES.

1. Preliminary.

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2. Constitution of Board of Trustees.

Incorporation of Board . . . . . ,, s. 4.
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Disqualifications of trustees; vacation of office on absence, disqualification, etc. . . . . ,, s. 13.
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3. Rights, Powers and Duties of Board of Trustees.

Administration vested in Board . . . . . ,, s. 4.
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PORT COMMISSIONERS OR TRUSTEES—*contd.*

II.—ADEN PORT TRUSTEES—*contd.*

3. Rights, Powers and Duties of Board of Trustees—*contd.*

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5. Conduct of Business.

Meetings ; transaction of business ; appointment and proceedings of Committees ; vacancies and irregularities not to invalidate proceedings	,,	s.15.

PORT COMMISSIONERS OR TRUSTEES—*contd.*

II.—ADEN PORT TRUSTEES—*contd.*

5. Conduct of Business—*contd.*

Contracts ; plans and estimates for works	Bom. Act 5, 1888,	ss. 16, 27.
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6. General Powers of Official Control.

Power of Local Government—		
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to restore, complete or construct work in default of Board	,,	s. 77.
to increase rates, etc.	,,	s. 79.
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7. Miscellaneous.

Police ; payments for	,,	s. 58(*c*).
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Cognizance of offences ; fines, etc., to be paid to Board	,,	s. 74.
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Suits ; notice of ; limitation ; tender of amends	,,	s. 85.
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III.—BOMBAY PORT TRUSTEES.

1. Preliminary.

Definitions	Bom. Act 6, 1879,	ss. 3, 4.

2. Constitution of Board of Trustees.

Incorporation of Board	,,	s. 4.
Board how constituted	,,	s. 5 (sub. Bom. Act 1, 1910, s. 2).
Election, nomination, term of office and retirement of trustees ; filling of casual vacancies ; disqualifications of trustees	,,	ss. 6 to 14, (s. 6, sub. Bom. Act 1. 1910, ss. 2, 13, am. Bom. Act 1, 1910, s. 2).
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Chairman	,,	ss. 5, 7, 11, 19, 20.
Remuneration of Chairman and trustees	,,	s. 15.

PORT COMMISSIONERS OR TRUSTEES—*contd.*

III.—BOMBAY PORT TRUSTEES—*contd.*

3. Rights, Powers and Duties of Board of Trustees.

Administration vested in Board	Bom.Act6,1879	s.4.
Property ; power of Board to acquire, hold and transfer	,,	s.26.
,, acquisition of land by Local Government for Board	,,	s.27.
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Landing and shipping of goods	,,	s.45.
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Board to provide for fulfilment of its liabilities	,,	s.59.
Works to be undertaken	,,	s.68.
Setting apart wharves, etc., for use under Sea Customs Act, 1878	,,	s.70.
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Power to make bye-laws	,,	ss.72to77.
Recovery of damages for injury to Board's property	,,	s.84.

4. Finance.

Issue of securities in payment of price of property transferred to Board	,,	ss.30,30A,Sch.B.
Application of sale-proceeds of Board's property	,,	s.31.
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Debentures ; form and transferability of ; rights of debenture-holders	,,	ss.42,42A,42B, Sch.D.
Tolls, dues, rents, rates and charges :		
Imposition of	,,	ss.43,43A,43B, 45,46.
Recovery of	,,	ss.61to67A.
Exemptions from	,,	ss.43,44.
Power to remit	,,	s.43.
Payment of toll by Government to Board for troops, in lieu of rates, etc.	,,	s.44.
Power of Local Government to increase rates, etc., or to appoint officer to receive them	,,	s.60.
Payment to Board of rates, etc., due in respect of wharf, etc., set apart for use under Sea Customs Act, 1878	,,	s.70.
Power to make bye-laws as to mode of payment of	,,	s.73(*f*).
Penalties for evading payment of, etc.	,,	ss.82,83.
Pilotage fees	,,	ss.50,72.
Accounts and audit	,,	ss.47to50,58.

PORT COMMISSIONERS OR TRUSTEES—*contd.*

III.—BOMBAY PORT TRUSTEES—*concld.*

4. Finance—*concld.*

Application of funds	Bom. Act 6, 1879,	ss. 49, 50.
Investment of funds	„	ss. 51, 51A.
Estimates	„	ss. 52 to 57.

5. Conduct of Business.

Meetings; transaction of business; appointment and proceedings of Committees; vacancies and irregularities not to invalidate proceedings	„	s. 16.
Contracts; estimates and plans for works	„	ss. 17, 68.
Engraving, etc., of Chairman's signature	„	s. 17A.
Power to compound for claims	„	s. 18.
Officers and servants; power to appoint Deputy Chairman; powers, duties, etc., of Deputy Chairman	„	ss. 19, 21 to 25, 49, 50 (s. 22A ins. s. 24 am., Bom. Act 4, 1910, ss. 2, 3).

6. General Powers of Official Control.

Power of Local Government to increase rates, etc., or appoint officer to receive them	„	s. 60.

7. Miscellaneous.

Saving of customs law and rights to collect customs-duties and town-duties	„	s. 69.
Penalty for trustee, officer or servant being interested in contract with Board	„	s. 78.
Penalties for certain offences	„	ss. 78 to 83.
Cognizance of offences; fines, etc., to be paid to Board	„	s. 85.
Suits against Trustees, etc.; indemnity to Board for acts of others	„	s. 87.
Holidays	„	s. 86.

IV.—CALCUTTA PORT COMMISSIONERS.

1. Preliminary.

Definitions	Ben. Act 3, 1890,	s. 3.

2. Constitution of Commissioners.

Incorporation of Commissioners	„	s. 4.
Number of Commissioners	„	s. 5.
Election, appointment, nomination and term of office of Commissioners	„	ss. 6 to 10.
Remuneration of Commissioners	„	s. 11.
Leave of absence to Vice-Chairman	„	ss. 12, 13.
Filling of vacancies	„	ss. 14 to 16.
Disqualifications of Commissioners; vacation of office on absence, disqualification, etc.	„	s. 17.

3. Rights, Powers and Duties of Commissioners.

Administration vested in Commissioners	„	s. 4.
Property; acquisition, holding and transfer of	„	ss. 55, 57, 58.

PORT COMMISSIONERS OR TRUSTEES—*contd.*

IV.—CALCUTTA PORT COMMISSIONERS—*contd.*

3. Rights, Powers and Duties of Commissioners—*contd.*

Works to be constructed and carried out	Ben.Act3,1890,s.35,123(2).
Provision, etc., of landing-places and bathing-places	,, ss.81,82.
Landing and shipping of goods from and in sea-going vessels and Inland vessels	,, ss.90to100,Sch. II(s.91am.Ben. Act2,1907,s.7).
Custody and removal of goods landed by Commissioners	,, ss.113,114.
Commissioners; responsibility of, in respect of goods, animals, etc., in their charge; limitations to responsibility	,, s.112.
Power to order removal of vessels from wharves, etc.	,, ss.101,102.
Setting apart of wharves, etc., for use under Sea Customs Act, 1878	,, ss.87,88.
Prohibition of erection of private wharves, etc., without assent of Local Government; removal of such wharves, etc., and provision of others in their place	,, ss.83to86.
Licensing of Commissioners' warehouses under Sea Customs Act, 1878, s. 16; signature of warrants delivered under s. 96 of that Act	,, s.122A.
Power of Commissioners to give security for import-duty on bonded goods or for due exportation of goods	,, s.122B.
Power to make bye-laws	,, ss.126to128.
Functions as Receivers of Wreck	,, s.125.
Recovery of compensation for damage done to property of Commissioners	,, s.89.
Lighting, cleansing, watering and repair by Municipal Corporation of roads and thoroughfares vested in Commissioners	,, ss.67,68.
Power of, to build or acquire vessels, and employ them in service of Howrah Bridge and in carrying goods and passengers to and from Calcutta and Howrah; power to levy fees and charges for such services	,, Ben.Act3,1880.

See also HOWRAH BRIDGE.

4. Finance.

Tolls, dues, rates, charges and fees:	
Imposition of	Ben.Act3,1890,ss.102,103, 104,104A,105,105A. (ins.Ben.Act4,1905,s.5), 106,107(*1*),115.
Power of Local Government to cancel or modify	Ben.Act3,1890,s.107(2).
,, ,, ,, require Commissioners to charge additional general or differential tolls, etc., for payment of debt	,, s.108 (amBen.Act2,1907,s.8), s.109.
Recovery of	Ben.Act3,1890,ss.111,115, 116to122.
Power to make bye-laws as to mode of payment of	,, s.126(*c*).
Power to levy, not to be alienated without assent of Local Government	,, s.56.
Collection of, by Commissioners at wharf, etc., set apart for use under Sea Customs Act, 1878	,, s.88.
Power to levy, for services in connection with Howrah Bridge	,, Ben.Act3,1880.

PORT COMMISSIONERS OR TRUSTEES—*contd.*

IV.—CALCUTTA PORT COMMISSIONERS—*contd.*

4. Finance—*contd.*

Borrowing powers of Commissioners; sinking fund		Ben.Act3,1890,ss,18,19 (am.Ben.Act2,1907,s.2), 21to25(ss.22and24, am.Ben.Act2,1907,ss.4 5).
Debentures, form, etc., and transferability of; rights of debenture-holders		Ben.Act3,1890,s.20(am. Ben.Act2,1907,s.3),s.20A (ins.Ben.Act1,1908,s.2).
Government, advancing loan to Commissioners to have no preferential right; power to repay loans from, before due date		Ben.Act3,1890,ss.26,27.
Payment of consolidated rate to Municipal Corporation:		
Determination of annual value for purposes of assessment	,,	ss.59,62to66.
Amount to be paid	,,	ss.60,66C.
Time of payment; payment how compellable	,,	ss.61,66M.
Special provisions for calculating annual value, and ascertaining value, of building erected on land let to tenants; assessment-book	,,	ss.66A,66B, 66Dto66L.
Recovery of rate by Commissioners from owners of buildings and tenants of land	,,	s.66N.
Port dues, fees and charges received by Commissioners as Conservators of the Port to be considered part of their income	,,	s.123(*1*).
Charge to which Commissioners are liable in respect of port-dues and fees received by them as Conservators of the Port deemed to be included in debt to Government	,,	s.124.
Estimates	,,	ss.69to75,123.
Port Police budget	,,	ss.133,134.
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5. Conduct of Business.

Meetings; record and transmission to Local Government of minutes of proceedings	,,	ss.40to46.
Appointment of Committees	,,	s.29.
Officers and servants	,,	ss.30to32, 32A,33,34,54(ss.31,33,am. Ben.Act1,1910,ss.3to5).
Power of Chairman or Vice-Chairman to exercise powers, etc., of Commissioners		Ben.Act3,1890,s.47.
Contracts and execution of works	,,	ss.48to51,53.
Power to compound for claims	,,	s.52.
Vacancies and irregularities not to invalidate proceedings	,,	s.28.

6. General Powers of Official Control.

Power of Local Government—		
to order survey	,,	s.36.
to restore, complete or construct work in default of Commissioners	,,	s.37.
to require Commissioners to charge additional general or differential tolls, etc., for payment of debt	,,	ss.108,109.
to revoke Commissioners' powers	,,	ss.38,39.

PORT COMMISSIONERS OR TRUSTEES—*contd.*

IV.—CALCUTTA PORT COMMISSIONERS—*concld.*

7. Miscellaneous.

Port Police Force :		
Constitution and control of	BenAct3,1890,	ss.129to131.
Daily reports by Superintendent to Commissioners	,,	s.132.
Budget	,,	ss.133,134.
Police-officers to report offences and may arrest offenders ; detention of offenders	,,	ss.140,141.
Penalty for accepting illegal gratification	,,	s.136.
,, ,, depositing rubbish or offensive matter on dock, wharf, etc.	,,	s.137.
Jurisdiction and procedure in case of offences committed—		
in Calcutta	,,	s.138.
beyond Calcutta	,,	s.139.
Limitation of suits	,,	s.142.
Indemnity to Commissioners for loss of or damage to petroleum stored in warehouse licensed under Sea Customs Act, 1878	,,	s.122C.
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V.—CHITTAGONG PORT COMMISSIONERS.

1. Preliminary.

Definitions	Ben.Act4,1887,	ss.2,4.
Power to define limits of port	,,	s.3.

2. Constitution of Commissioners.

Incorporation of Commissioners	,,	s.4.
Appointment, election, tenure of office and disqualifications of Commissioners ; vacation of office on absence, disqualification, etc. ; filling of casual vacancies	,,	ss.5to9,11.
Remuneration of Commissioners	,,	s.55.
Appointment and remuneration of Chairman and Vice-Chairman	,,	s.10.
Leave of absence and leave-allowances to Vice-Chairman	,,	s.10A.

3. Rights, Powers and Duties of Commissioners.

Administration vested in Commissioners	,,	s.4.
Property ; acquisition, holding, transfer and vesting of	,,	ss.12to15, Sch.I.
Works to be constructed and carried out	,,	s.16.
Power to make port-rules	,,	s.17.
Control of pilots	,,	s.18.
Provision, etc., of landing-places and bathing-places	,,	ss.19,20.
Shipping and landing of goods in and from sea-going vessels and inland vessels	,,	ss.21to24, 26,27,Sch.II.
Power to order removal of vessels from wharves, etc.	,,	s.25.
Setting apart of wharves, etc., for use under Sea Customs Act, 1878	,,	ss.28,29.

PORT COMMISSIONERS OR TRUSTEES—*contd.*

V.—CHITTAGONG PORT COMMISSIONERS—*contd.*

3. Rights, Powers and Duties of Commissioners—*contd.*

Prohibition of erection of private wharves, etc., without permission of Commissioners	Ben. Act 4, 1887	ss.30 to 32.
Power to remove to warehouse goods left on or in wharf or shed belonging to Commissioners	,,	s.37.
Recovery of compensation for damage done to property of Commissioners	,,	s.42.

4. Finance.

Tolls, dues, rates and charges :		
Imposition and recovery of	,,	ss.33 to 41, 79.
Power to make bye-laws as to mode of payment of	,,	s.17(*d*).
Collection of dues, etc., by Commissioners at wharf, etc., set apart for use under Sea Customs Act, 1878	,,	s.29.
Power to grant exemptions	,,	s.44.
Custody of money ; disbursements	,,	s.67.
Accounts, audit and estimates	,,	ss.68, 69.
Borrowing powers of Commissioners	,,	ss.70 to 72, Sch. III.

5. Conduct of Business.

Secretary and office	,,	ss.53, 54.
Meetings	,,	ss.55 to 59, 61, 64.
Appointment of executive officer	,,	s.60.
Officers and servants	,,	ss.62, 64, 64A.
Commissioners and certain of their servants deemed "public servants"	,,	s.63.
Power to make bye-laws as to	,,	s.64.
Contracts ; estimates and plants for works	,,	ss.65, 66.
Submission of reports	,,	s.68.

6. General Powers of Official Control.

General power of Local Government to cancel, suspend or modify proceedings of Commissioners	,,	s.44.
Power of Local Government—		
to make rules as to works and expenditure	,,	s.45.
to order survey	,,	s.46.
to restore, complete or construct work in default of Commissioners	,,	s.47.
to revoke Commissioners' powers	,,	s.48.

7. Miscellaneous.

River police : establishment and maintenance of ; police to be enrolled under Act 5, 1861	,,	s.43.
Suits by and against Commissioners	,,	ss.49 to 52.
Indemnity to Commissioners for acts of harbour-master, etc.	,,	s.52.
Penalty for Commissioner or servant being interested in contract with the Commissioners	,,	s.73.
Penalties for certain offences	,,	ss.73 to 76.

PORT COMMISSIONERS OR TRUSTEES—*contd.*

V.—CHITTAGONG PORT COMMISSIONERS—*concld.*

7. Miscellaneous—*concld.*

Prosecutions ; initiation of	Ben. Act 4, 1887,	s.77.
Recovery of moneys due to Commissioners	,,	s.79.
Saving of prior acts, proceedings, orders, rules and regulations	,,	s.78.

VI.—KARACHI PORT TRUSTEES.

1. Preliminary.

Definitions	Bom. Act 6, 1886,	ss.2,4,69.
Power to define limits of port	,,	s. 3.

2. Constitution of Board of Trustees.

Incorporation of Board	,,	s.4.
Board how constituted	,,	s.5.
Chairman and Vice-Chairman	,,	ss.6,9,11,20.
Appointment, election, term of office and retirement of trustees ; filling of casual vacancies ; disqualifications of trustees	,,	ss.7to9,11to15.
Trustee not to vote, etc., on matters in which he is interested	,,	s.15B.
Vacation of office of trustee on disqualification, absence, or voting, etc., on matters in which he is interested	,,	s.15A.
Remuneration of Chairman, Vice-Chairman and Trustees	,,	s.16.

3. Rights, Powers and Duties of Board of Trustees.

Administration vested in Board	,,	s.4.
Property ; power of Board to acquire, hold and transfer	,,	ss.18,25.
,, acquisition of land by Local Government for Board	,,	s.26.
,, transfer of, to Board	,,	s.27, Sch.A.
transfer to Board of liabilities of Karachi Harbour Board	,,	s.28.
Special provisions as to liability of Board to Municipality	,,	s.28A.
Works to be constructed and carried out	,,	s.29.
Provision, etc. of landing-places and bathing-places	,,	ss.30,31.
Shipping and landing of goods in and from sea-going vessels	,,	ss.32to34,36, 37, Sch.C.
Power to order removal of vessels from wharves, etc.	,,	s.35.
Setting apart of wharves, etc., for use under Sea Customs Act, 1878	,,	ss.38,39.
Prohibition of erection of private wharves, etc., without permission of Board	,,	ss.40to42.
Power to remove to warehouse goods left on or in wharf or shed belonging to Board	,,	s.49.
Maintenance and control of pilots	,,	s.55.
Power to make bye-laws	,,	ss.56to59.
Recovery of compensation for damage done to property of Board	,,	s.76.

4. Finance.

Transfer to Board of—		
loans, debts and sums contracted, or incurred by or due to Karachi Harbour Board	,,	s.28, Sch.B.

PORT COMMISSIONERS OR TRUSTEES—*contd.*

VI.—KARACHI PORT TRUSTEES—*contd.*

4. Finance—*contd.*

Transfer to Board of—*contd.*

moneys credited under the Indian Ports Act to the Karachi Port Fund . . . . . Bom.Act6,1886,s.54.

Tolls, dues, rates and charges :

Imposition of . . . . . ,, ss.43,43A,43B, 49.

Power to remit . . . . . ,, s.44.

Recovery of . . . . . ,, ss.46to53,53A, 84.

Power to make bye-laws as to mode of payment of . . ,, s.56(*d*).

Collection of dues, etc., by Board at wharf, etc., set apart for use under Sea Customs Act, 1878 . . . . . ,, s.39.

Penalties for evading payment of . . . . . ,, ss.74(am.Bom. Act2,1909,s. 4),75.

Power of Local Government to increase . . . . . ,, s.81.

Pilotage fees . . . . . ,, s.55.

Custody of money; disbursements . . . . . ,, s.60.

Borrowing powers of Board . . . . . ,, ss.59Ato59I (ins.Bom.Act2, 1909,s.2).

Borrowing power under Act 3, 1904, saved . . . . . ,, s.59I(ins.Bom. Act2,1909,s.2).

Debentures, form and transferability of; rights of debenture-holders . . . . . ,, s.59C(ins.Bom. Act2,1909,s.2).

Debentures issued by Board not extinguished by purchase by Board . . . . . ,, s.69B.

Validation of old debentures . . . . . ,, s.69C.

Government, advancing loan to Board to have no preferential right; power to repay loan from, before due date . . . ,, ss.59C(*5*),59H (ins.Bom.Act2, 1909,s.2).

Application of funds . . . . . ,, s.61(sub.Bom. Act2,1909,s.3).

Investment of funds . . . . . ,, ss.69,69A.

Estimates . . . . . ,, ss.62to67.

Audit of accounts . . . . . ,, s.68.

5. Conduct of Business.

Meetings; transaction of business; appointment and proceedings of Committees; vacancies and irregularities not to invalidate proceedings . . . . . ,, s.17.

Contracts; plans and estimates for works . . . . . ,, ss.18(am.Bom. Act2,1909,s. 1),29.

Power to compound for claims . . . . . ,, s.19.

Officers and servants . . . . . ,, ss.21to24.

6. General Powers of Official Control.

Power of Local Government—

to order survey . . . . . ,, s.79.

to restore, complete or construct work in default of Board . ,, s. 80.

to increase rates, etc. . . . . ,, s.81.

to revoke Board's powers . . . . . ,, s.82.

PORT COMMISSIONERS OR TRUSTEES—*contd.*

VI.—KARACHI PORT TRUSTEES—*concld.*

7. Miscellaneous.

Police; payments for establishment and maintenance of	Bom. Act 6, 1886,	s.61(3).
Penalty for Trustee, officer or servant being interested in contract with Board	,,	s.70.
Penalties for certain offences	,,	ss.70 to 73.
Cognizance of offences; fines, etc., to be paid to Board	,,	s.77.
Initiation of prosecutions	,,	s.78.
Recovery of money due to Board	,,	s.84.
Liability of Trustees for breach of trust, etc.	,,	ss.85,86.
Suits: notice of; limitation; tender of amends	,,	s.87.
Indemnity to Board for acts of harbour-master, etc.; liability in respect of goods in their charge	,,	s.88

VII.—MADRAS PORT TRUSTEES.

1. Preliminary.

Definitions	Mad. Act 2, 1905,	s.5.

2. Constitution of Board of Trustees.

Incorporation of Board	,,	s.6.
Board how constituted	,,	s.8.
Election, nomination, term of office and removal of Trustees; vacation of office on disqualification, absence, etc.; filling of casual vacancies	,,	ss.7(2),9 to 18, 20.
Disqualifications of Trustees	,,	s.7.
Chairman	,,	ss.10,11,14 to 16.
Remuneration of Chairman and Trustees; leave of absence to, and leave-allowances of, Chairman	,,	ss.19,21,22.

3. Rights, Powers and Duties of Board of Trustees.

Administration vested in Board	,,	s.6.
Property; certain, vested in Board	,,	s.31, Sch.2.
,, power of Board to acquire, hold and transfer	,,	s.32.
,, acquisition of, by Local Government for Board	,,	s.27.
Execution of works	,,	ss.60,61.
Power to appoint pilots and harbour-masters; pilotage-fees; rules	,,	ss.91 to 93.
Contracts	,,	ss.88,89.
Power to compound for claims	,,	s.90.
Power to make bye-laws	,,	ss.95 to 99.
Penalty for erection of private wharves, etc., without consent of Local Government	,,	s.104.
Recovery of compensation for damage done to property of Board	,,	s.107.

4. Finance.

Sums standing at credit of Madras Port Funds; power of Local Government to transfer to Board	,,	s.49.

PORT COMMISSIONERS OR TRUSTEES—*contd.*

VII.—MADRAS PORT TRUSTEES—*contd.*

4. Finance—*contd.*

Tolls, dues, rents, rates and charges :		
Imposition of	Mad. Act 2, 1905,	ss.42,44.
Power to remit	,,	s.44(2).
Power of Board or Local Government to increase	,,	ss.45,46.
Recovery of	,,	ss.50 to 62.
Power to make bye-laws as to mode of payment of	,,	s.95(6).
Penalty for evading payment of	,,	ss.105,106.
Power to levy, not to be alienated without assent of Local Government	,,	s.47.
Charges for services in respect of vessels or goods	,,	ss.43,44.
Pilotage-fees	,,	s.91.
Fines, damages, etc., recovered to be paid to Board	,,	s.48.
Borrowing powers of Board	,,	ss.63,65,66, 69 to 71.
Debentures; form and transferability of; rights of debenture-holders	,,	s.64, Sch. 3.
Government, advancing loan to Board to have no preferential right; power to repay loan from, before due date; interest on and repayment of outstanding debt to	,,	ss.67,68,72.
Borrowing power under Act 3, 1904, saved	,,	s.73.
Application of funds	,,	ss.74 to 78,94.
Estimates	,,	ss.83 to 87.
Accounts and audit	,,	ss.79 to 82.
Property vested in Board exempted from municipal taxes	,,	s.34.

5. Conduct of Business.

Meetings; transaction of business; appointment and proceedings of Committees; vacancies and irregularities not to invalidate proceedings	,,	ss.23,24.
Delegation of powers and duties of Board to Chairman; duties of Chairman	,,	ss.25,26.
Officers and servants	,,	ss.27 to 30.
Contracts	,,	ss.76,89.

6. General Powers of Official Control.

Power of Local Government—		
to direct increase of rates, etc., to provide against estimated deficiency of revenue	,,	ss.45,46.
to order survey	,,	s.37.
to restore, complete or repair works, in default of Board	,,	s.38.
to revoke Board's powers	,,	s.113.

7. Miscellaneous.

Saving of powers of Chief Officer of Customs	,,	s.109.
Submission of report, etc., to Local Government	,,	s.112.
Penalty for trustee, officer or servant being interested in contract with Board	,,	s.100.

PORT COMMISSIONERS OR TRUSTEES—*contd.*

VII.—MADRAS PORT TRUSTEES—*contd.*

7. Miscellaneous—*contd.*

Penalties for certain offences	Mad.Act2,1905,	ss.100to106.
Cognizance of offences ; fines, etc., to be paid to Board	,,	ss.48,108.
Suits : notice of ; limitation	,,	s.110.
Indemnity for acts of officer or servant and for acts done *bonâ fide* under Act	,,	s.111.

VIII.—RANGOON PORT COMMISSIONERS.

1. Preliminary.

Definitions	Bur.Act4,1905,	s.4.
Power to define and alter limits of port	,,	s.5.

2. Constitution of Commissioners.

Incorporation of Commissioners	,,	s.6.
Election and appointment, number, tenure of office, vacation of office and disqualifications of Commissioners	,,	ss.7,10to12, 94.
Remuneration of Commissioners	,,	s.9.
Chairman and Vice-Chairman ; appointment and remuneration of	,,	ss.8,12.

3. Rights, Powers and Duties of Commissioners.

Administration vested in Commissioners	,,	s.6.
Commissioners bound to provide for due fulfilment of all liabilities and for efficient administration	,,	s.59.
Property ; acquisition, holding, transfer and vesting of	,,	ss.29to33,Sch. II.
Rights and liabilities of Commissioners appointed under Act 15, 1879, to devolve on	,,	s.3.
Contracts ; sanction when required	,,	s.22.
Power to abandon, compromise or compound claims	,,	s.24.
Works to be constructed and carried out ; sanction when required	,,	ss.19to21,64.
Bye-laws	,,	ss.65,97.
Provision, etc., of landing-places and bathing-places	,,	ss.66,67.
Shipping and landing of goods in and from sea-going vessels and inland vessels	,,	ss.68to72,74, 75,95,Sch.IV.
Power to order removal of vessels from wharves, etc.	,,	s.73.
Setting apart of wharves, etc., for use of Customs-officers	,,	s.76.
Prohibition of erection of private wharves, etc., without permission of Local Government ; penalty	,,	ss.78to80,95, 96.
Power to remove to warehouse goods left on or in wharf or shed belonging to Commissioners	,,	s.86.
Commissioners, responsibility of, in respect of goods, animals, etc., in their charge ; limitations to responsibility	,,	s.102.
Recovery of compensation for damage done to property of Commissioners	,,	s.92.

PORT COMMISSIONERS OR TRUSTEES—*contd.*

VIII.—RANGOON PORT COMMISSIONERS—*contd.*

4. Finance.

Tolls, dues, rates and charges:		
imposition and recovery of: lien and other remedies of Commissioners in respect of; recovery of, as arrears of land-revenue	Bur. Act 4, 1905,	ss. 81 to 91.
payable in respect of wharves, etc., set apart for Customs-officers to be paid to Commissioners	,,	s. 77.
Borrowing powers of Commissioners	,,	ss. 34, 35, 37 to 40.
Debentures; form and transferability of; rights of debenture-holders	,,	ss. 36, 36A.
Government, advancing loan to Commissioners to have no preferential right: power to repay loans from, before due date	,,	ss. 36(5), 41.
Borrowing power under Act 3, 1904, saved	,,	s. 42.
Custody and investment of funds	,,	ss. 43, 44.
Application of funds: Rs. 10,000 to be paid annually to Municipal Committee of Rangoon: payment to Government of cost of establishment and maintenance of port-police	,,	ss. 45 to 47.
Funds chargeable with and liable for contracts, etc.	,,	s. 99.
Estimates, account and audit prohibition of expenditure not provided for in estimate save on pressing urgency	,,	ss. 48 to 56.
Expenditure not to be charged to capital without express sanction of Government	,,	s. 54.

5. Conduct of Business.

Place of business	,,	s. 105.
Meetings	,,	ss. 13 to 17.
Officers and servants	,,	ss. 25 to 28.
Commissioners and certain of their servants deemed "public servants"	,,	s. 106.
Power to make bye-laws as to	,,	s. 18.
Contracts; estimates and plans for works	,,	ss. 21, 23.
Submission of reports, etc.	,,	ss. 56, 58.

6. General Powers of Official Control.

Acts of Commissioners subject to approval of Local Government	,,	s. 57.
Power of Local Government—		
to require Commissioners to increase tolls, charges, etc., or to impose river-dues, etc., and on non-compliance to impose or increase the same	,,	s. 60.
to order survey	,,	s. 61.
to restore, complete or construct work in default of Commissioners	,,	s. 62.
Power of Governor General in Council to revoke Commissioners' powers	,,	s. 63.

PORT COMMISSIONERS OR TRUSTEES—*concld.*

VIII.—RANGOON PORT COMMISSIONERS—*concld.*

7. Miscellaneous.

Proceedings not invalid by reason of vacancy, irregularity or defect of form	Bur.Act4,1905,s.17.
Commissioners not personally liable on contracts, etc.	,, s.99.
,, personal liability for misapplication of funds	,, s.100.
Port-police : establishment and maintenance of	,, s.47.
Suits against Commissioners	,, s.101.
Indemnity to Commissioners for acts of harbour-master, etc.	,, s.103.
Penalty for Commissioner, officer or servant being interested in contract with the Commissioners	,, ss.93,94.
Penalties for certain offences	,, ss.95to97.
Prosecutions ; initiation of	,, s.98.
Saving of previous port regulations	,, s.104.
PORTS POLICE ACT (MADRAS), 1881. (*See* POLICE, I, M.).	Mad.Act1,1881.
PORT TRUST ACT (ADEN), 1888. (*See* PORT COMMISSIONERS).	Bom.Act5,1888.
,, ,, ,, (BOMBAY), 1879. (*See* PORT COMMISSIONERS).	Bom.Act6,1879.
,, ,, ,, (KARACHI), 1886. (*See* PORT COMMISSIONERS).	Bom.Act6,1886.
PORTERS.	
Licensing and controlling of	(Bo.City)Bom.Act4,1902, s.22(*1*)(*a*). (Cal.)Ben.Act4,1866,s.62 (*1*)(*a*)(sub.Ben.Act3,1910, s.16). (Cal.sub.)Ben.Act2,1866, s.39(*1*)(*a*)(sub.Ben.Act3, 1910,s.16).
Control over in municipalities : *See* MUNICIPALITY, (*Sub-heading* "The Public Health, Safety and Convenience").	
PORTUGUESE DESERTERS ACT, 1849.[1] (*See* MERCHANT SHIPPING)	12-3V.c.25.
POST OFFICE ACT, 1908. (*See* EVIDENCE, I; POST OFFICE (ENG. LAW)	8 Edw.7,c.48.
POST OFFICE ACT (INDIAN), 1898	Act6,1898.
POST OFFICE (ENGLISH LAW).	
1891. 54-5V. c. 31 (Mail Ships). 1902. 2 Edw. 7, c. 36.	1908. 8. Edw. 7, c. 48, ss. 9,36, 70 (*3*), 85 (*1*), 87, 93, 94.

1. Conveyance of Mails and Letters.

Application of Mail Ships Act, 1891, by Order in Council, to—	
Foreign States and British Possessions	54-5V,c.31,ss.1,8,Sch.
public ships	,, s.6.
Conveyance of letters by crew or passengers of mail ship-forbidden	,, s.2.
"Exempted mail ships:" certain ships for which security has been given to be deemed ; procedure on application to Court to fix security	,, s.3. 2Edw.7,c.36,s.1.

[1] This short title was given by 59 & 60 Vict., c. 14.

POST OFFICE (ENGLISH LAW)—*contd.*

1. Conveyance of Mails and Letters—*contd.*

"Exempted mail ships," arrest and execution of process on board . . . . . 54-5V,c.31,s.4.
" " exemption from seizure of . . " s.5.
Legal proceedings . . . . . " s.7. 8Edw.7,c.48,ss.9,36,70(*3*).
See also EVIDENCE, I.
Power of Legislature of British Possession to establish ports . " s.85(*1*).

2. Money Orders.

Arrangements with British Possessions and foreign countries as to money orders: application of provisions of 8 Edw. 7, c. 48, regarding postal orders . . . . . " s.87.

POST OFFICE (INDIAN LAW).

1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1898. Act 5, s. 184 (Place of trial).
1898. Act 6 (Post Office).
1898. Act 13, s. 4 (Laws, Burma).
1900. Reg. 1 (Chittagong Hill Tracts).
1909. Act 3, s. 35 (Insolvency Pr. towns).
1910. Act 1, ss. 14, 15 (Press).

1. Preliminary.

Act 6, 1898, applies—
to whole of British India . . . . . Act6,1898,s.1.
for certain purposes, in Foreign States in India in alliance with Her Majesty . . . . . " s.57.
" " declared in force in—
the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
Upper Burma (except the Shan States) . . Act13,1898,s.4,Sch.1.
Chittagong Hill Tracts . . . . . Reg.1,1900,s.4.
Definitions . . . . . Act6,1898,s.2.

2. Administration.

Exclusive privilege of conveying letters reserved to Government: exceptions . . . . . Act6,1898,ss.4,58.
Exemption of Government and of postal officers for loss, misdelivery, delay or damage or in respect of money orders, except in certain cases . . . . . " ss.6,48.
Liability of Government in respect of insured postal articles . " s.33.
Provision of and making of rules for supply, sale and use of postage stamps . . . . . " s.16.
Use of postage stamps for pre-payment of postage and other postal charges . . . . . " s.17.

3. Postal Rates and Regulations.

Rates of inland and foreign postage . . . . . " ss.7,8,10.
Provision for redirection and express delivery of postal articles " s.8(*c*)(*d*).
Redirection or delivery of, under orders of Insolvency Court . Act3,1909,s.35.
Newspapers; registration of, for transmission by inland post Act6,1898,s.9.
" deemed to include supplements . . . " s.9(*3*).
Liability for payment of postage and other postal charges. . " s.11.
Recovery of postage, etc. . . . . " s.12.

POST OFFICE (INDIAN LAW)—*contd.*

3. Postal Rates and Regulations—*contd.*

Customs-duty paid by postal authorities, recoverable as postage	Act6,1898,s.13.
Rules for redelivery to sender of postal articles in course of transmission	,, s.18.
Rules as to transmission of postal articles	,, s.21.
Transmission by post of explosive or other injurious articles	,, s.19.
,, ,, of indecent, seditious, etc., articles prohibited	,, s.20.
,, ,, of newspapers in respect of which declaration or deposit has not been made	Act1,1910,s.14.
Power to postpone despatch or delivery of certain postal articles other than letters	Act6,1898,s.22.
Power to deal with postal articles posted in contravention of Act	,, s.23.
Power to deal with postal articles suspected to contain goods contraband, liable to duty or notified under Act 8, 1878, s. 19	,, ss.24,25.
,, intercept postal articles for public good deal with postal articles from abroad bearing fictitious or	,, s.26.
,, previously used stamps	,, s.27.
detain article suspected to contain offending newspapers, etc.	Act1,1910,s.15.
Registration and insurance of postal articles	Act6,1898,ss.28,29,30,32.
Insurance of postal articles, when compulsory	,, s.31.
Liability of Government in respect of insured postal articles	,, s.33.
Value-payable postal articles	,, ss.34,35.
Postal arrangements with other countries; power to give effect	,, s.36.
to Undelivered postal articles; disposal of	,, ss.37to39.

4. Conveyance of Mails, Letters and Parcels.

Certain persons not to convey letters: exceptions	,, ss.5,59.
By ships other than mail ships	,, ss.40to42.
Detention of mails	,, s.67.

See also 3.

5. Money Orders.

Provision for remission of money by postal money orders	,, s.43.
Remitter; power of to recall or require amount of money order to be paid to some other person	,, s.44.
Recovery of amount of money order paid to wrong person	,, s.47.
Liability of Government or postal officer in respect of	,, ss.44(2),48.
Issue of postal orders for amounts not in excess of ten rupees	,, s.45.
Power to give effect to arrangements with other countries in respect of	,, s.46.

6. Offences and Legal Proceedings.

Misconduct in carrying or delivering mail bag or postal articles	,, s.49.
Voluntary withdrawal from duty of carrying or delivering mail bag or postal article	,, s.50.
Making false entry in register required to be kept by person carrying or delivering mail bag or postal article	,, s.51.
Stealing, destroying, etc., of postal article by postal officer	,, s.52.

POST OFFICE (INDIAN LAW)—*contd.*

6. Offences and Legal Proceedings.

Unlawfully opening, detaining, etc., of postal article by postal officer	Act 6, 1898,	s.53.
Fraud by postal officers in connection with official marks and documents	,,	ss.54,55.
Postal officer fraudulently receiving excess postage or sending unpaid or uncharged postal articles	,,	s.54(*c*),56.
Unlawful conveying of letters	,,	ss.58,59.
Offences by vendors of postage stamps	,,	s.60.
Sending by post explosive, injurious or obscene articles	,,	s.61.
Defiling or injuring letter-box or affixing placards, etc., or disfiguring post office or letter-box	,,	ss.62,63.
False declaration in respect of postal articles	,,	s.64.
Refusing to receive mail bag or failing to deliver mail bag or postal article by master of ship	,,	s.65.
Detention of letter or postal article or detaining or opening mails or mail bag	,,	ss.66,67.
Retaining, destroying, etc., postal articles wrongly delivered or maliciously diverting letters	,,	ss.68,69.
Abetment and attempt	,,	s.70.
Charge; mail bag or postal article how described in	,,	s.71.
Certain official marks to be evidence	,,	ss.14,15.
Authority of Director General or of Postmaster General required for prosecutions for certain offences	,,	s.72.
Place of trial for certain offences committed in India outside British India	,,	s.57.

See also CRIMINAL LAW (INDIAN), **10.**

7. Miscellaneous.

Power of Governor General in Council to make rules for management of zamindari or other district posts	,,	s.73.
General power to make rules: rules under Act to have effect on publication as if enacted in the Act	,,	s.74.
Delegation of certain powers to Director General	,,	s.75.
East India Company Act, 1780; saving of	,,	s.76.

POUND.

See ANIMAL, A, **3**; B.

POWER.

Act 28, 1866, declared in force throughout British India, except as regards the Scheduled Districts	Act 15, 1874,	s.3.
,, ,, applies only to cases to which English law is applicable	Act 28, 1866,	s.45.
Mode of execution of	,,	s.24.

POWERS AND DUTIES.

Statutory; general provisions as to exercise and performance of. *See* ACTS OF PARLIAMENT, 1; ACTS AND REGULATIONS, ETC.,

POWERS-OF-ATTORNEY ACT, 1882 (*See* INSOLVENCY; LUNATIC, 5; MARRIED WOMAN; POWER OF ATTORNEY . . . Act 7, 1882.

POWER-OF-ATTORNEY.

Act 7, 1882, extends to whole of British India . . . . . Act7,1882,s.1.
" " declared in force in the Santhál Parganas . . . Reg. 3,1872,s,3.
Donee of, may execute assurance, etc., in his own name . . Act7,1882,s.2.
Validation of payment, etc., under power without notice of death, lunacy or insolvency of donor, or of revocation . . . . " s.3.
Deposit in High Court of instrument creating, and grant of copies thereof . . . . . " s.4.
Power of married woman to give . . . . . " s.5.

PRECIOUS STONES.

Upper Burma, Chin Hills and Kachin Hills.

Reg. 12, 1887, extends *proprio vigore* to Upper Burma, except the Shan States . . . . . Reg.12,1887,s.1(*2*).
" " declared in force in—
Kachin Hill-tracts, as regards hill-tribes . . . Reg.1,1895,s.3.
certain tracts in the Chin Hills . . . Reg.5,1896,s.3.
"Precious stone" includes ruby, spinel, sapphire, etc. . . Reg.12,1887,s.2(*1*).
Right of Government to . . . . . Reg.3,1889,s.31.
Prohibition of digging for, or dealing with, precious stones, except as permitted by rules; powers for making rules; penalties; confiscation . . . . . Reg.12,1887,ss.3to6,8.
Presumption that offence committed when accused found in possession of stone . . . . . " s.7.
Powers of search, seizure and arrest; procedure . . . . " ss.9to12.
Obligation to give information of offences . . . . . " s.13.
Power to grant lease; acquisition of land for grantee . . " ss.14,16.
Recovery of arrears of fees, etc. . . . . " s.15.
Saving of rights established to satisfaction of Local Government " s.1(*4*).

PRE-CONTRACTS. *See* MARRIAGE, I, **2**.

PRE-EMPTION.

Recognition of right of, in case of sale in execution of decree . Act5,1908,sch.1,o.21,r.88.
" " " " for arrears of revenue . U.P.Act3,1901,s.182.
In Ajmere. *See* AJMERE, **2**.
" Oudh. *See* OUDH, **4**.
" N.-W. Fr. *See* N.-W. FR. PROVINCE, **3**.
" Punjab. *See* PUNJAB, **3**.

PREPARIS ISLAND. *See* LITTLE COCOS ISLAND AND PREPARIS ISLAND.

PRESCRIBED; definitions of. *See* WORDS AND PHRASES.

PRESIDENCIES.

Definitions of "Presidency." *See* WORDS AND PHRASES.
Power to declare and alter limits of. *See* GOVERNMENT OF INDIA, **2** (*b*).

PRESIDENCY BANKS ACT, 1876. (*See* BANK; COMPANY) . Act11,1876.
" " 1879 . . . . . Act5,1879.
" " 1899 . . . . . Act20,1899.
" " (AMENDMENT) ACT, 1907 . . . Act1,1907.
" MAGISTRATES (COURT FEES) ACT, 1877. (*See* CRIMINAL PROCEDURE, **5**; PROCESS FEE) . Act4,1877.

PRESIDENCY SMALL CAUSE COURTS ACT, 1882. (*See* CIVIL COURTS, XII B, 3; CRIMINAL LAW (IND.); MINOR; SEAL; SMALL CAUSE COURT, A) . . . . . Act15,1882.

PRESIDENCY SMALL CAUSE COURTS ACT, 1895 . . Act1,1895.

" " " " " 1899 . . Act3,1899.

" " " " " 1906 . . Act4,1906.

PRESIDENCY-TOWNS.

Limits of . . . . . 55G.3,c.84,s.1.

PRESIDENCY TOWNS INSOLVENCY ACT, 1909. (*See* ADMINISTRATOR GENERAL; CHIEF COURT OF LOWER BURMA; COMPANY; CONTEMPT; CRIMINAL PROCEDURE (IND.); FRAUDULENT CONVEYANCE; INDIAN MILITARY AND NAVAL FORCES; INSOLVENCY; OATH AND AFFIRMATION; PARTNERSHIP; POST OFFICE (IND. LAW) . . . . . Act3,1909.

PRESS AND REGISTRATION OF BOOKS ACT, 1867. (*See* COPYRIGHT; PRINTING PRESSES AND PUBLICATIONS) . . Act25,1867.

PRESS AND REGISTRATION OF BOOKS ACT, (1867) AMENDMENT ACT, 1890. . . . . Act10,1890.

PRESS. *See* PRINTING PRESSES AND PUBLICATIONS.

PREVENTION OF CRUELTY TO ANIMALS ACT, 1890. (*See* CRUELTY TO ANIMALS) . . . . . Act11,1890.

PREVENTION OF GAMBLING ACT (BOMBAY), 1887. (*See* GAMING) . . . . . Bom.Act4,1887.

PREVENTION OF OFFENCES. *See* CRIMINAL PROCEDURE (INDIAN), 6.

PREVENTION OF SEDITIOUS MEETINGS ACT, 1911 (*See* CRIMINAL LAW (IND.) 6; CRIMINAL PROCEDURE (IND.) 3, 6; PREVENTION OF SEDITIOUS MEETINGS . . . . . Act10,1911.

PREVENTION OF SEDITIOUS MEETINGS.

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Definition of public meeting . . . . . " s.3.

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PREVENTIVE RELIEF.

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" " declared in force in Upper Burma except Shan States Act13,1898,s.4,Sch.1.

" " " " British Baluchistan . . . Reg.1,1890,s.3.

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PREVENTIVE RELIEF—*contd.*

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PRINCE OF WALES MUSEUM ACT, 1909 . . . . . Bom.Act.3.1909.

PRINCE OF WALES MUSEUM.

Trustees of ; number of ; incorporation of ; vesting of property in Bom.Act3,1909,ss.2,3.
Power to make rules . . . . . ,, s.5.
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PRINCIPAL AND AGENT. *See* AGENCY.

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PRINTING-PRESSES AND PUBLICATIONS.

Act 25, 1867, declared in force—
throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.
in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
in Upper Burma (except the Shan States) . . . . Act13,1898,s.4,Sch.1.
Act 1, 1910, extends to whole of British India including British Baluchistan, Santhál Parganas and Pargana of Spiti . . Act1,1910,s.1.
Definitions . . . . . Act25,1867,s.1. Act1,1910,s.2.
Books and papers to have printed on them name of printer and publisher and place of printing and publication . . . Act25,1867,s.3.
Declaration to be made by—
keeper of printing-press . . . . . ,, s.4.
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Security to be deposited by keeper of press or publisher of newspaper when making declaration ; power to demand security from keeper of existing press, publishers of existing newspapers in certain cases ; fresh security on annulment of declaration . . . . . Act1,1910,ss.3,5,8,10.
Annulment of declaration . . . . . ,, ss.4(2),9(2).
Return of deposit to person ceasing to keep press or be a publisher ,, s.24.
Books newly published ; delivery of copies of, to Government . . Act25,1867,ss.9to11.
,, ,, ,, registration of . . . . . ,, ss.18,19.
Copies of newspapers printed in British India to be supplied to Government gratis ; penalty . . . . . Act1,1910,s.16.
Penalties for breach of Act . . . . . Act25,1867,ss.12to16.
Penalty for keeping press or publishing newspaper without depositing security . . . . . Act1,1910,s.23.
Forfeiture of security, further security, press, materials, newspapers, etc. . . . . Act25,1867,ss.4,6,9,11,12.
Order of forfeiture not to be questioned except as provided . ,, s.22.
Power of High Court to set aside forfeiture : procedure . . ,, ss.17to21.

PRINTING PRESSES AND PUBLICATIONS—*contd.*

Issue of search-warrants . . . . . Act25,1867.ss.7,12.
Power of Customs and Postal officers to detain packages, etc., supposed to contain offending matter, etc. . . . . „ ss.13,15.
Recovery and application of forfeitures . . . . . „ s.17.
Power of Local Government to make rules for working of Act . „ s.20.
Power of Governor General in Council to exclude books from operation of Act . . . . . „ s.21.
Newspapers containing offending matter or in respect of which no declaration has been made not to be transmitted by post . Act1,1910,s.14.
Service of notices . . . . . „ s.25.
Bar to suit or proceeding against person for thing done in good faith under Act 1, 1910 . . . . . „ s.22.
Operation of other laws not barred . . . . . „ s.26.
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PRISONS ACT, 1894 (*See* PRISON; WHIPPING) . . . . Act9,1894.

PRISON.

1. Preliminary.

Act 9, 1894, extends to whole of British India, including British Baluchistan and Spiti . . . . . Act9,1894,s.1(2).
Act 9, 1894, declared in force in Upper Burma except Shan States Act13,1898,s.4,Sch.1.
Definitions . . . . . Act9,1894,s.3.

2. Maintenance and Officers.

Local Government to provide accommodation for prisoners . „ s.4.
Inspector General to provide temporary accommodation when necessary . . . . . „ s.7.
Inspector General; appointment and general powers of . . „ s.5.
Other officers; appointment of . . . . . „ s.6.
General duties of officers generally . . . . . „ ss.8to10.
„ „ of superintendent . . . . . „ ss.11,12.
„ „ of medical officer . . . . . „ ss.13to15.
„ „ of jailor . . . . . „ ss.16to19.
„ „ of deputy jailor or assistant jailor . . . „ s.20.
„ „ and powers of subordinate officers . . . „ ss.21,22.
Superintendent to send information of death to Coroner . . (Bo.,Cal.)Act4,1871,s.9 (am.Act4,1908,s.2).
Convict officers deemed "public servants" . . . . . Act9,1894,s.23.

3. Prisoners.

Admission of; search and medical examination on . . . Act9,1894,s.24.
Custody of effects of . . . . . „ s.25.
Discipline of: separation of prisoners . . . . . „ s.27.
„ association or separation of convicted criminal prisoners . . . . . „ s.28.

PRISON—*contd.*

3. Prisoners—*contd.*

Discipline of : prisoner kept in solitary confinement cell to have means of communication with officer of prison and to be visited . . . . . Act9,1894,s.29.

,, search and confinement of prisoner under sentence of death . . . . . ,, s.30.

Regulations as to food, clothing and bedding of civil and unconvicted criminal prisoners . . . . . ,, ss.31to33.

Employment of civil prisoners . . . . . ,, s.34.

,, criminal prisoners . . . . . ,, s.35.

,, ,, ,, sentenced to simple imprisonment . . . . . ,, s.36.

Health : treatment of sick prisoners . . . . . ,, s.37.

,, record of directions of medical officer . . . . ,, s.38.

,, hospital to be provided . . . . . ,, s.39.

Compulsory vaccination of prisoners . . . . . Bom.Act1,1892,s.33.

Visits to civil and unconvicted criminal prisoners : regulation of ; search of visitors . . . . . Act9,1894,ss.40,41.

Prisoner subject to prison laws when being removed from or employed, etc., outside prison . . . . . ,, s.55.

Confinement in irons by superintendent . . . . . ,, s.56.

,, in fetters for limited time of prisoner under sentence of transportation . . . . . ,, s.57.

Restrictions on jailor putting prisoner in irons . . . . ,, s.58.

,, on medical grounds on removal and discharge of . ,, s.26.

Offences by. *See below*, 4.

4. Offences and Penalties.

Penalty for unlawfully introducing liquor or intoxicating drug into jail or house of correction . . . . (Cal.)Ben.Act4,1866,s.34.

,, ,, introduction or removal of prohibited articles into or from prison ; penalty . . . . . Act9,1894,s.42.

,, ,, unlawful communication with prisoner . . . . Act9,1894,s.42.

Power to arrest for offence under s. 42 . . . . . ,, s.43.

Notification of acts prohibited by s. 42 and penalties therefor . ,, s.44.

Offences by prisoner :

List of prison-offences . . . . . ,, s.45.

Punishment by superintendent . . . . . ,, ss.46to49.

,, medical officer in certain cases to certify to fitness of prisoner for . . . . . ,, s.50.

,, entry of, in punishment book . . . . . ,, s.51.

,, by Magistrate in serious cases . . . . . ,, s.52(am. Act13,1910).

Whipping how to be inflicted . . . . . ,, s.53.

Offences by jailor or his subordinates ; punishment of, by Magistrate . . . . . ,, s.54.

PRISON—*concld.*

5. Miscellaneous.

Rules; power of Government to make, for working of Act . . Act9,1894, ss.59,60.
„ exhibition of copies of . . . . . „ s.61.
Exercise of functions of superintendent or medical officer in his absence . . . . . „ s.62.
Civil Jails in Bombay Presidency (outside City of Bombay):
Jail to be provided in each district . . . . . Bom.Act2,1874,s.9.
Nazir of District Court or Chief Court to be *ex-officio* keeper of jail; his responsibilities and establishment . . . . „ s.10.
Judge or Assistant Judge to visit jail and issue orders for management, etc. . . . . „ s.11.
Medical officer and his duties . . . . . „ s.12.
Visits to prisoners . . . . . „ s.13.
Regulations as to food, clothing and bedding for prisoners . „ s.14.
Inquest on and disposal of body of prisoner dying in . . „ s.15.
Disposal of subsistence-money in hand on prisoner's death or release . . . . . Expenses of maintaining jail to be provided by Government . „ s.16.
Act 9, 1894, not to apply to; saving of Bom. Act 2, 1874, ss. 9 to 16 . . . . . Act9,1894,s.1(*d*).
In what prison certain sentences of death passed out of British India are to be executed . . . . . Act3,1900,s.18.
Military prisons. *See* ARMY, 4 (*d*) (4).
Convict settlement. *See* ANDAMAN AND NICOBAR ISLANDS.

PRISONER (ENGLISH LAW).
Removal by *habeas corpus* for examination . . . . . 1W.4,c.22,s.6.
See also COLONIAL PRISONER.

PRISONERS ACT, 1871 (*See* PRISONER; STATE PRISONER) . Act5,1871,s.15.
„ „ 1900 [*See* CAPITAL PUNISHMENT; CIVIL PROCEDURE, **3**; COMMISSION; LUNATIC, **4**; PRISON, **5**; PRISONER (IND. LAW); REFORMATORY SCHOOL Act3,1900

PRISONERS (AMENDMENT) ACT, 1910 . . . . Act13,1910.

PRISONER (INDIAN LAW).

1. Preliminary.

Act 3, 1900, extends to whole of British India . . . . . Act3,1900,s.1.
Definitions . . . . . „ s.2.
Prison, duty of officer in charge of, to detain persons under writ and to return writ after execution . . . . . „ ss.3,4.

2. Confinement, Removal and Discharge.

(1) Prisoners in Presidency-towns:
Writs and warrants for arrest issued by High Court to be executed by police-officer . . . . . „ s.5.

PRISONER (INDIAN LAW)—*contd.*

2. Confinement, Removal and Discharge—*contd.*

(1) Prisoners in Presidency-towns—*contd.*

Superintendent to receive and keep prisoners :

Appointment and designation of superintendent . . Act3,1900,s.6.

Duties of superintendent, and delivery of prisoners to him . ,, ss.7to13.

Warrants under Regulations or Acts relating to State Prisoners may be directed to superintendent . . . Act5,1871,s.15.

Application of Murray Trust Fund for securing release of persons imprisoned in Calcutta for debt or for assisting criminal prisoners on discharge from Calcutta Jail . . Ben.Act2,1897.

(2) Prisoners in the Mufassal :

Officers in charge of prisons may give effect to sentences, orders or warrants of certain Courts or tribunals in or out of British India . . . . . Act3,1900,ss.15,16.

Procedure where jailor doubts legality of warrant sent to him ,, s.17.

Application of provisions to Reformatory Schools . . ,, s.14.

Power of Government to authorise execution in British India of capital sentence passed by certain Courts in Native State . . . . . ,, s.18.

(3) Convicts sentenced to penal servitude :

Power to confine them in prison . . . . . ,, s.19.

Enactments respecting convicts sentenced to transportation or to imprisonment with hard labour to be construed to apply to persons under sentence of penal servitude . . . ,, s.20.

Grant of license to, to be at large ; apprehension of convict when license revoked ; penalty for breach of condition in license . . . . . ,, ss.21to27.

(4) Transported convicts :

Appointment of places for reception of persons sentenced to transportation ; removal of such persons thereto . . ,, s.32.

(5) Removal of prisoners :

From one jail to another . . . . . ,, s.29.

Application of provisions to reformatory schools . . . ,, s.28.

From jail to lunatic asylum, etc. . . . . ,, s.30.

Removal of prisoners from civil to criminal jail, and return to civil jail . . . . . Act5,1898,s.541.

See also COLONIAL PRISONER.

(6) Bringing prisoners before Court :

Power of Criminal Court to order production of prisoner to give evidence or when charge made or pending against him ; procedure . . . . . Act3,1900,ss.37to40.

Power of Civil Court to order production of prisoner to give evidence ; procedure . . . . . ,, ss.35,36,38 to40.

Such orders to be obeyed by officer in charge of jail, except in cases of sickness, etc. . . . . ,, ss.41,43.

Application of provisions to reformatory schools . . . ,, s.34.

Power of Government to exempt prisoners from removal under Act . . . . . ,, s.42.

Power of Presidency Magistrate to order prisoner in jail to be brought up for examination . . . . . Act5,1898,s.542.

PRISONER (INDIAN LAW)—*contd.*

2. Confinement, Removal and Discharge—*contd.*

(6) Bringing prisoners before Court—*contd.*

Power of Coroner to order prisoner to be brought up for examination . . . . . Act4,1871,s.17(am.Act 4,1908,s.5).

(7) Examination of prisoner in jail or person detained in reformatory school :

Power to issue commission for . . . . . Act3,1900,ss.34,44to46.

(8) Processes :

Service of process on prisoner in jail or person detained in reformatory school . . . . . ,, ss.34,47,48. Act5,1908,Sch.1,o.5,r.24.

(9) Discharge of convicts :

Power of Chartered High Court to discharge on his recognisance convict for whom it has recommended free pardon . Act3,1900,s.33.

(10) Miscellaneous provisions :

Deposit of costs before issue of order for bringing prisoner before Court, in civil case . . . . . ,, s.50.

Power to make rules for production of prisoner before Court . ,, s.51.

Power of Local Government to declare who is the officer in charge of a jail, for purposes of production of prisoner before Court . . . . . ,, s.52.

Presidency Small Cause Courts and Presidency Magistrates deemed subordinate to Presidency High Court for purposes of production of prisoner before Court . . . . ,, s.49.

Death of prisoner in jail to be reported to Coroner . . . Act4,1871,s.9(am.Act4, 1908,s.2).

Prisoners of State. *See* STATE PRISONER.

Military prisoners. *See* ARMY, **4** (*b*), (*d*) (4); INDIAN MILITARY AND NAVAL FORCES, III, **3** (*c*) (3).

See also PRISON, **3, 4, 5.**

PRISONERS OF WAR (ESCAPE) ACT, 1812. [1] [*See* CRIMINAL LAW (ENGLISH)] . . . . . 52G,3,c.156.

PRISONER OF WAR.

Penalty for assisting escape of, etc. . . . . Act45,1860,ss.128to130.

PRIVATE DEFENCE.

Right of . . . . . Act45,1860,ss.96to106.

PRIVATE ESTATES.

Managed by Government; recovery of cost of management. *See* RATE AND CHARGES.

PRIVATE FISHERIES PROTECTION ACT, 1889. (*See* FISHERY) . . . . . Ben.Act2,1889.

PRIVATE FORESTS PRESERVATION REGULATION (AJMERE AND MERWARA), 1892. (*See* FOREST) . . Reg.1,1892.

PRIVATE FOREST. *See* FOREST, **4.**

PRIVY.

Regulation of. *See cross-references from* DRAINS, LATRINES, ETC.

PRIVY COUNCIL.

See JUDICIAL COMMITTEE.

[1] This short title was given by 59 & 60 Vict., c. 14.

PRIZE COURTS ACT, 1894 (*See* COLONIAL COURT OF ADMIRALTY; PRIZE) . . . . . 57-8V.c.39.

PRIZE.

1831-2. 2-3 W. 4, c. 53, s. 29 (Conjunct Expeditions).
1833. 3-4 W. 4, c. 41, ss. 3, 31 (Appeal in Prize Causes).
1850. 13-4 V. c. 26 (Recapture from Pirates).
1864. 27-8 V. c. 25 (Naval).
1866. 29-30 V. c. 109, ss. 38 to 42 (Offences).
1870. 33-4 V. c. 90 (Illegal prize).
1890. 53-4 V. c. 27 (Colonial Courts of Admiralty).
1894. 57-8 V. c. 39 (Prize Courts).

1. Booty of War. **2. Naval Prize.**

1. Booty of War.

Collection and distribution of. *See* ARMY, 6 (*c*); *and below*, 2 (*d*).

2. Naval Prize.

(*a*) RIGHT TO PRIZE.

Officers, etc., of Her Majesty's ships entitled only to such interest in prize as may be granted by Crown . . . . . 27-8V.c.25,s.55(*1*).

(*b*) JURISDICTION OF PRIZE COURTS.

Jurisdiction of Admiralty Division in matters of prize throughout Her Majesty's dominions . . . . . ,, ss.3,4.

Colonial Courts of Admiralty and Vice-Admiralty Prize Courts— ,, s.3. 53-4V.c.27. 57-8V.c.39,s.2.

salaries and pensions to judges of . . . . . 27-8V.c.25,ss.10,11.

returns from, to Admiralty Division . . . . . ,, s.12.

Appeal in prize causes to Her Majesty in Council; powers of and procedure before Judicial Committee (*see also* JUDICIAL COMMITTEE) . . . . . 3-4W.4,c.41,ss.3,31. 27-8V.c.25,ss.5to8,43,45. 53-4V.c.27,ss.6,16,18, Schs.1,2.

Enforcement of orders on appeal . . . . . 27-8V.c.25,s.49.

Rules of Court by Order in Council as to procedure, fees, etc. . 57-8V.c.39,ss.3,4.

Officers of Courts not to act as advocates . . . . . 27-8V.c.25,s.14.

Solicitors not to be concerned for adverse parties . . . . ,, s.15.

Appointment of persons to take oaths, etc., on high seas or abroad. *See* AFFIDAVIT.

Jurisdiction as to illegal prize. *See below*, (*g*).

(*c*) PROCEDURE IN PRIZE CAUSES.

Custody of ships taken as prize . . . . . ,, ss.16,22.

Bringing in of ships' papers into Prize Court . . . . . ,, s.17. 29-30V.c.109,s.38.

Monition, examination, adjudication . . . . . 27-8V.c.25,ss.18to22,32.

Claim, appraisement, delivery on bail, sale . . . . . ,, ss.23to28.

Payment and disposal of proceeds of sale, etc. . . . . ,, s.29.

Goods taken as prize . . . . . ,, s.31.

Claim on appeal . . . . . ,, s.33

Petitions by asserted joint captors . . . . . ,, s.36.

PRIZE—*concld.*

2. Naval Prize—*concld.*

(*d*) SPECIAL CASES OF CAPTURE.

Capture in land expedition . . . . . 27-8V.c.25,s.34.
„ in conjunct expedition of land and naval forces [*see also* ARMY, 6 (*c*)] . . . . . 2-3W.4,c.53,s.29.
„ in conjunct expedition with ally . . . . . 27-8V.c.25,s.35.
Purchase by Admiralty, without condemnation, of stores on foreign ship taken while carrying stores to enemy . . . „ s.38.
Prize taken by ship not ship of war to be droits of Admiralty . „ s.39.

(*e*) PRIZE SALVAGE AND PRIZE BOUNTY.

Salvage by Her Majesty's ships. *See* NAVY, 4 (*b*).
Prize salvage on recapture of British ship, etc. . . . . „ ss.40,41.
Salvage on property recovered from pirates [*see also* MERCHANT SHIPPING, 8 (*c*); PIRACY] . . . . . 13-4V.c.26.
Prize bounty for destruction of ship of war . . . . . 27-8V.c.25,ss.42to44.

(*f*) OFFENCES IN RELATION TO PRIZE.

Reservation of prize for Her Majesty's disposal, on proof of offence by captors . . . . . 27-8V.c.25,s.37.
Perjury . . . . . „ s.50.
Offences by persons subject to naval discipline:
Not bringing ship papers into Prize Court . . . . . 29-30V.c.109,s.38.
Taking money, etc., out of ship before condemnation . . „ s.39.
Ill-using persons on board prize ship . . . . . „ s.40.
Taking prize by collusion, unlawfully agreeing for ransom, collusively restoring prize [*see also below*, (*g*)] . . . „ s.41.
Breaking bulk on board prize ship . . . . . „ s.42.
Forfeiture of share of capture by offender . . . „ ss.38, 39,42.

(*g*) MISCELLANEOUS.

Regulation of ransom by Order in Council; jurisdiction of Admiralty Division as to agreements, etc. . . . . 27-8V.c.25,s.45.
Customs, duties and regulations as to prize . . . . . „ ss.47to49.
Order in Council for execution of Naval Prize Act . . . „ ss.53,54.
Savings . . . . . „ s.55.
Seizure, etc., and restoration by Admiralty Courts, of prize captured in violation of neutrality, or by ship equipped, etc., in violation of Foreign Enlistment Act; appeal . . . 33-4V.c.90,ss.14,21,22, 27,etc.
Ships under convoy. *See* MERCHANT SHIPPING, 1 (*e*); NAVY 3 (*b*).

PRIZE MONEY.

See ARMY, 6 (*c*): INDIAN MILITARY AND NAVAL FORCES, 1; NAVY, 4 (*b*), (*c*); PRIZE.

PROBATE AND ADMINISTRATION ACT, 1875 . . . Act,13,1875.

PROBATE AND ADMINISTRATION ACT, 1881. (*See* ADMINISTRATION OF ESTATES (IND. LAW); ADMINISTRATOR GENERAL; MINORITY) . . . . . Act5,1881.

PROBATE AND ADMINISTRATION ACT, 1889. [*See* ADMINISTRATION OF ESTATES (IND. LAW); COURT-FEES, 3. . . . Act6,1889.

PROBATE AND ADMINISTRATION ACT, 1890. (*See* OFFICIAL TRUSTEE) . . . . . Act2,1890.

PROBATE AND ADMINISTRATION ACT, 1903 . . Act8,1903.

PROCEDURE OF COURTS.

See CIVIL PROCEDURE; CRIMINAL LAW AND PROCEDURE (ENGLISH); CRIMINAL PROCEDURE (INDIAN).

PROCESS, CRIMINAL. *See* CRIMINAL PROCEDURE (INDIAN), 5.

PROCESS-FEES.

High Court to make rules as to fees for serving and executing processes and as to remuneration of process-servers . . Act7,1870,s.20. (Bo.)Act14,1869,s.42.

Power of Local Government to make rules as to process-serving establishments, in supersession of rules made under Court-fees Act . . . . . [1]Bur.Act1,1910,s.3.

Publication of table of . . . . . Act7,1870,s.21. (Bo.)Act14,1869,s.42.

Number of peons in—

District Courts and Presidency Small Cause Courts . . Act7,1870,s.22.

Revenue Courts . . . . . „ s.23.

Bombay Civil Courts . . . . . Act14,1869,s.42.

Madras City Civil Court . . . . . Act7,1892,s.10.

Fees for summonses and warrants issued by Presidency Magistrate . . . . . Act4,1877,s.57.

PROCESSIONS.

Regulation of, by police. *See* POLICE, I, A, 3; D, 3; E, 3; F, 3; G, 3; J, 3; K, 3.

PROFITS; definitions of. *See* WORDS AND PHRASES.

PROMISE; definitions of. *See* WORDS AND PHRASES.

PROMISSORY NOTE. *See* NEGOTIABLE INSTRUMENT.

PROOF; definitions of. *See* WORDS AND PHRASES.

PROPERTY.

Definitions of. *See* WORDS AND PHRASES.

Not forfeited by loss of caste . . . . . Act21,1850.

Power of Governor General in Council and Local Governments to transfer and acquire property and make contracts; mode of executing contracts and other deeds; actions to be carried on in name of Secretary of State for India in Council . . 22-3V.c.41,ss.1,2,5,6.

Power of Governor General in Council to vary form of execution of such deeds . . . . . 33-4V.c.59,s.2.

Offences against. *See* CRIMINAL LAW (INDIAN), 15.

Immoveable; intervention of Magistrate in case of dispute concerning. *See* CRIMINAL PROCEDURE (INDIAN), 6 (*d*).

See also STOLEN PROPERTY; TRANSFER OF PROPERTY; UNCLAIMED PROPERTY.

[1] Bur. Act 1, 1910, will come into force when notified.

PROPERTY MARK. *See* MERCHANDISE MARKS.

PROPERTY IN LAND ACT, 1837. *See* LAND (IND. LAW) . Act4,1837.

PROPRIETARY ESTATES VILLAGE SERVICE ACT (MADRAS). 1894. (*See* VILLAGE) . . . . . Mad.Act2,1894.

PROPRIETOR ; definitions of. *See* WORDS AND PHRASES.

PROTECTED FOREST. *See* FOREST, 3.

PROTECTION OF MUHAMMADAN PILGRIMS ACT, 1896. (*See* MERCHANT SHIPPING ; PILGRIM) . Ben.Act1,1896.

" " PILGRIMS ACT, 1887. (*See* MERCHANT SHIPPING ; PILGRIM) . . . . Bom.Act2,1887.

PROVIDENT FUNDS ACT, 1897. . . . . Act9,1897.

" " (AMENDMENT)ACT, 1903 . . . Act4,1903.

PROVIDENT FUND.

Act 9, 1897, extends to whole of British India, including British Baluchistan . . . . . Act9,1897,s.1.

" " declared in force in Upper Burma (except Shan States) . . . . . Act13,1898,s.4,Sch.1.

" " applies to Provident Funds of Government, or of Railway or Tramway Companies . . . Act9,1897,s.2(*3*).

" " may be applied by notification to Provident Funds established for its employés by Local Authority . " s.6.

Definitions . . . . . " s.2.

Power, on death of subscriber or depositor, to pay to persons entitled sums not exceeding R2,000 . . . . . " s.3.

S. 3 not to apply to estates of European soldiers or deserters . " s.7

Compulsory deposits in, protected from liability to attachment or claim of official assignee . . . . . " s.4.

Protection for things done in good faith under Act . . . " s.5.

PROVINCE.

Definitions of. *See* WORDS AND PHRASES.

Power of Governor General to constitute new . . . . 24-5V.c.67,s.46.

PROVINCIAL INSOLVENCY ACT, 1907. (*See* COMPANY ; FRAUDULENT CONVEYANCE ; INSOLVENCY) . . . . Act3,1907.

PROVINCIAL SMALL CAUSE COURTS ACT, 1887. (*See* CIVIL PROCEDURE ; SEAL ; SMALL CAUSE COURTS, B.) . . . Act9,1887.

PUBLIC.

Definitions of. *See* WORDS AND PHRASES.

See also PLACES OF PUBLIC RESORT.

PUBLIC ACCOUNTANTS DEFAULTS ACT, 1850. *See* OFFICIAL TRUSTEE ; PUBLIC OFFICER . . . . . Act12,1850.

PUBLIC AUTHORITIES SEALS ACT (BOMBAY). 1883. (*See* SEAL) . . . . . Bom.Act5,1883.

PUBLIC BUILDINGS. *See* ENDOWMENTS.

PUBLIC CONVEYANCE.

PUBLIC CONVEYANCE—*contd.*

I.—BOMBAY PRESIDENCY.

1. Preliminary.

Bom. Act 6, 1863, applies to town, suburbs and harbour of Bombay	Bom.Act6,1863,preamble.
" " " may be extended to other towns and places by notification; power to alter scale of fees, dispose of balance of fees, confer powers on officers, and specify vehicles to which Act shall apply, in such towns or places	" s.34.
" " " applies to— certain carriages plying for hire, palanquins let for hire, and boats and other vessels carrying passengers for hire	" s.1.
Definition of "attendant"	" s.36.
" of "town and suburbs of Bombay"	" s.37.

2. Regulation.

Licensing, numbering and marking of public conveyances; affixing of plate showing list of fares; fees for licenses; penalties	Bom.Act6,1863,ss.2,4to 13,16.
Licensing of attendants; wearing of badge; penalties	" ss.3to5,7to13, 15.
Bombay City Municipal Corporation to pay expenses of granting licenses under Bom. Act 6, 1863	Bom.Act3,1888,s.62(*b*).
Disposal of fees	Bom.Act6,1863,ss.7,34.
Registration of public conveyances	" s.13.
Making and publication of rules for public conveyances	" s.14.
Fares, hiring and plying for hire; penalties	" ss.14,17to19, 21,22,28,29.
Licensee bound, when required by police-officer, to cause conveyance to ply for hire; penalty	" s.25.
Restrictions on use of conveyance by person suffering from infectious disease, and subsequent inspection of conveyance, in Bombay City Municipality	Bom.Act3,1888,ss.428 to431.
Penalties on licensee, driver or attendant for obstruction or intoxication, misconduct, etc.	Bom.Act6,1863,ss.20,21.
Arrest of driver or attendant causing damage; compensation for damage	" s.23.
Determination, by Magistrate or European police-officer, of dispute between hirer and driver or attendant; hirer and driver or attendant may require each other to proceed to Court or police-officer	" s.24.
Appointment of stands	" s.14.
Proceedings against owner when offence committed by driver or licensee	" s.26.
Recovery of fines, etc.	" s.27.
Compensation for groundless complaint	" s.30.

PUBLIC CONVEYANCE—*concld.*

I.—BOMBAY PRESIDENCY—*contd.*

2. Regulation—*contd.*

Property left in conveyance how to be dealt with ; penalty . Bom.Act6,1863,s.31.
Arrest without warrant, and seizure of conveyance . . . . s.32.
Convictions not open to appeal or reversal . . . . s.35.

II.—OTHER PROVINCES.

See BOAT ; HACKNEY-CARRIAGE ; PALANQUIN ; STAGE CARRIAGE.

PUBLIC DEMANDS RECOVERY ACT, 1895. (*See* PUBLIC DEMANDS ; PUBLIC OFFICER) . . . . . Ben.Act1,1895.

PUBLIC DEMANDS.

I.—GENERALLY.

Recovery of, by the processes for recovery of arrears of land-revenue. *See* LAND-REVENUE, I, *and cross-references from* COLLECTION OF LAND-REVENUE.

Purchaser of estate or tenure at a sale for recovery of, bound by agreement under ss. 4, 5 of Ancient Monuments Preservation Act, 1904, executed by owner for the time being . Act7,1904,s.8.

II.—BENGAL (EXCEPT SAMBULPUR DISTRICT) AND EASTERN BENGAL.

1. Preliminary.

Ben. Act 1, 1895, extends to Bengal (except the Angul District) and Eastern Bengal . . . . . Ben.Act1,1895,s.1.
Powers conferred by Act are in addition to, and not in derogation of, powers conferred by other Acts . . . . . ,, s.2.
Repeal and savings . . . . . ,, s.3.
Definitions of "District Collector," "Certificate Officer" and "Local authority" . . . . . ,, s.4.

2. Recovery.

Power to make certificate for recovery of—
balance due for arrears of revenue after sale of estate or tenure or share thereof . . . . . ,, s.5,Sch., Form 1.
arrears of revenue due from farmer of estate . . . . .
sums recoverable as arrears of revenue . . . . .
sums due from sureties of farmer of estate . . . . ,, ss.7,9(*3*), Sch.,Form 2(s.7rep. pt.Act4, 1907).
arrears of revenue or rent payable to Government from raiyat or from person holding interest in land, pasturage, forest, fishery, etc. . . . . .
certain other sums . . . . . .
Recovery of Road Cess or Public Works Cess as public demand. *See* LOCAL RATES AND CESSES, B, 3.

Requisition for certificate under s. 7 or s. 9 ; fee payable . . ,, s.9,Sch., Form3.
Certificate to have effect of decree of Civil Court, subject to other provisions of Act . . . . . ,, ss.6(*1*),8, 9(*4*).

PUBLIC DEMANDS—*contd.*

II.—BENGAL (EXCEPT SAMBULPUR DISTRICT) AND EASTERN BENGAL—*contd.*

2. Recovery—*contd.*

When certificate filed, notice to be issued to debtor; on service of notice, certificate to bind his immoveable property; transmission of copy of certificate to other districts . . . Ben.Act1,1895,s.10,Sch., Form4.

Power to attach and sell moveable property, to satisfy certificate . . . „ s.11.

Filing of objections to certificate, and hearing of same by Certificate Officer or by Revenue-officer to whom he may transfer petitions; costs . . . „ ss.12to14,18, Sch.,Form5.

Appeal to, and revision by, Revenue-authorities . . . „ ss.32,33.

Suit for cancellation or modification of certificate . . . „ ss.6(2),15.

Grounds on which certificate may be cancelled or modified by Civil Court . . . „ s.17.

Certificate when to become absolute . . . „ ss.6(3),16.

Payment of amount due under certificate may be made by instalments . . . „ s.25(1).

When and how certificate may be enforced; interest recoverable . . . „ s.19.

Power to set aside sale of immovable property . . . „ ss.20,21,23.

Powers in execution by whom to be exercised . . . „ s.22.

Registration of certificates . . . „ ss.24to26.

Satisfaction of certificate to be entered in register and communicated to certain officers . . . „ ss.26,27.

Sums received by other officers in satisfaction of certificate to be remitted to the officer who made the certificate . . . „ s.28.

Application of Act 18, 1850 (Protection of Judicial Officers), to certain officers acting under Ben. Act I, 1895 . . . „ s.29.

Control by Commissioners and Board of Revenue over officers . . . „ s.30.

Notices how to be served . . . „ s.31.

Application of Ben. Act 1, 1895, to recovery of arrears of rent . . . (Ben.)Act8,1885,s.158A (ins.Ben.Act1,1907, s.49). (Chota Nagpur)Ben.Act6, 1908,s.244. (E.B.)Act8,1885,s.158A (ins.E.B.&A.Act1, 1908,s.49).

Special provisions for Angul. *See* ANGUL, 5.

PUBLIC GAMBLING ACT, 1867.[1] (*See* GAMING) . . . . Act3,1867.

PUBLIC GARDENS. *See* PUBLIC PARKS.

PUBLIC MEETING. *See* PREVENTION OF SEDITIOUS MEETINGS.

PUBLIC OFFICER.

1794. Ben. Reg. 3, ss. 16 to 18 and 20 (Recovery of papers).
1803. Ben. Reg. 33, ss. 3 to 8 (Security; Recovery of papers).
1822. Mad. Reg. 7, s. 3 (1) (Appointment and Removal).
1822. Mad. Reg. 9 (Inquiries).
1823. Mad. Reg. 3, s. 2 (2) (Inquiries).
1827. Ben. Reg. 3, s. 5 (Restitution).
1828. Mad. Reg. 7, ss. 3, 4, 6 (Inquiries).
1832. Mad. Reg. 3 (Inquiries).

[1] This short title was given by Act 5, 1897, s. 4.

PUBLIC OFFICER—*contd.*

1837. Act 36 (Inquiries).
1850. Act 12 (Public Accountants).
,, Act 18 (Protection of Judicial Officers).
,, ,, 37 (Inquiries).
1869. Act 14, s. 33 (Inquiries).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1874. Act 15, ss. 3, 4, 6, 7 (Laws, Local Extent).
1874. Reg. 9, s. 3 (Laws, Arakan Hill District).
1876. Act 18, s. 3 (Laws, Oudh).
1878. Act 11, s. 1 (Arms).
1879. Bom. Act 5, s. 2 (Repeal).
1886. Reg. 1, s. 2 (Repeal).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1893. Mad. Act 5 (Inquiries).
1894. Reg. 1, 1894, s. 3 (Laws, Angul).
1895. Ben. Act 1, s. 29 (Public Demands, Bengal).
1896. Reg. 5, s. 3 (Laws, Chin Hills).
1897. Act 1, s. 4 (Public Servants).
1898. Act 13, s. 4 (Laws, Burma).
1900. Reg. 1, s. 4 (Chittagong Hill Tracts).
1902. Mad. Act 1, s. 31 (Court of Wards).
1907. Bur. Act 6, s. 8 (Village).

Definitions of. *See* WORDS AND PHRASES.

Public Accountants:

Act 12, 1850, declared in force—

throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
in the Santhál Parganas	Reg.3,1872,s.3.
,, ,, repealed in part in Bombay Presidency	Bom.Act5,1879,s.2.
,, ,, ,, locally in Assam	Reg.1,1896,s.2.
Definition of	Act12,1850,s.3.
Security to be given by	,, ss.1,2.
Proceedings against, for loss or defalcation	,, ss.4,5.
Manager and other servants under Court of Wards in Madras, deemed to be	Mad.Act1,1902,s.31.
Protection of judicial officers for acts done in good faith	Act18,1850.

Act 18, 1850, declared in force—

throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
in the Santhál Parganas	Reg.3,1872,s.3.
in the Arakan Hill District	Reg.9,1874,s.3.
in Upper Burma (except the Shan States)	Act13,1898,s.4,Sch.1.
in British Baluchistan	Reg.1,1890,s.3.
in Angul District	Reg.1,1894,s.3.
in certain tracts in the Chin Hills	Reg.5,1896,s.3.
in Chittagong Hill Tracts	Reg.1,1900,s.4.
Act 18, 1850, applied to certain officers acting under Public Demands Recovery Acts	(Ben.,E.B.)Ben.Act1, 1895,s.29.
Power of Government to order formal and public inquiry into imputation of misbehaviour by Government servant who is not removable from his appointment without sanction of Government	Act37,1850,s.2.
Verification of accusation by accuser	,, s.5.
Security from accuser	,, ss.6,7.
Who to hold inquiry	,, s.3.

PUBLIC OFFICER—*contd.*

Procedure in inquiry	Act 37,1850,ss.4,6,8 to16,18to 20.
Conduct of prosecution by accuser at discretion of Government	„ ss.6,7.
Report to Government on conclusion of inquiry	„ s.21.
Powers of Government on receiving report	„ s.22.
By what Government powers under Act exerciseable	„ s.23.
Act 37, 1850 (Inquiries into Behaviour of Public Servants), declared in force—	
throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
in the Santhál Parganas	Reg.3,1872,s.3,Sch.
in the Arakan Hill District (ss. 2 to 22 and 25, with modifications)	Reg.9,1874,s.3.
in Upper Burma except the Shan States	Act13,1898,s.4,Sch.I.
Act 37,1850, not to affect certain other enactments; power to issue commission for trial under them	Act37,1850,s.24.
„ „ not to affect authority of Government for suspending or removing public servant without inquiry under the Act	„ s.25.
„ „ short title given to	Act1,1897,s.4.
Power of Local Government to depute officer to inquire into conduct of public servant; procedure on inquiry	Mad.Act5,1893.
Commission of inquiry into misconduct of Judge	(Bom.)Act14,1869,s.33.
Papers belonging to Government recoverable from native officers summarily by imprisonment; suit for wrongful imprisonment	(Ben.,E.B.)Ben.Reg.3, 1794,ss.16to18,20.
Security to be given by certain native officers	(U.P.)Ben.Reg.33,1803,s.2.
Money and papers belonging to Government recoverable from such native officers summarily by imprisonment and by attachment and sale of property	„ ss.3to8.
Ben. Reg. 3, 1794, ss. 16 to 18, 20, declared in force throughout Bengal (except Sambalpur District) and Eastern Bengal, except as regards the Scheduled Districts	Act15,1874,s.6andSch.IV.
Ben. Reg. 33, 1803, declared in force in Oudh (with modifications)	Act18,1876,s.3andSch.II.
When convicted of obtaining property by corruption or extortion, certified copy of conviction to be sufficient authority for enforcing restitution, and civil action need not be instituted	Ben.Reg.3,1827,s.5.
Ben. Reg. 3, 1827, s. 5[1] (Extortion), declared in force throughout Bengal (except Sambalpur District) and Eastern Bengal and Agra, except as regards the Scheduled Districts	Act15,1874,ss.6,7.
Short title given to Ben. Reg. 3, 1827	Act5,1897,s.4.
Appointments and removals of native officers to be subject to rules and orders made by Local Government	Mad.Reg.7,1822,s.3(*1*).
Power of Collector to enquire summarily into and punish certain acts of malversation on the part of native officers and persons unlawfully assuming character of native officers; his powers and procedure for purposes of such enquiry and punishment	Mad.Reg.9,1822,ss.2,3(*1*),(*3*),4to8. 13.
Power of Collector to issue search-warrant for discovery of accounts and documents	„ s.9.

[1] Ben. Reg. 3, 1827, s. 5, has been declared, by notification under the Scheduled Districts Act, 1874, to be in force in the District of Sylhet (Assam).

PUBLIC OFFICERS—*concld.*

Procedure for sale of property under Mad. Reg. 9, 1822 . . Mad. Reg. 9,1822,s.10.

Reimbursement of persons from whom money exacted or unjustly received by . . . . . ,, s.12.

Revision by Board of Revenue of judgment by Collector under Mad. Reg. 9, 1822 . . . . . Mad.Reg.3,1823,s.2(*2*).

Appeal to Board of Revenue from judgment or order under Mad. Reg. 9, 1822 . . . . . Mad.Reg.7,1828,s.6.

Commission for revision of Collector's proceedings under Mad. Reg. 7, 1828 :

Appointment of . . . . . ,, s.8(*3*).

Powers and procedure of . . . . . Mad.Reg.9,1822,s.15(*2*) to(*7*).

Restrictions on making reference to Court in respect of Collector's proceedings under Mad. Reg. 9, 1822. . . . . ,, s.16. Mad.Reg.3,1832.

Power of Collector to refer to native officers for investigation cases of a petty nature under Mad. Reg. 9,1822 ; powers and procedure of such officers . . . . . Mad.Reg.7,1828,s.4.

Delegation of powers of Collector to Assistant Collectors ; his powers of control over their proceedings . . . . . ,, s.3.

Mad. Regs. 7 of 1822 [s. 3 (*1*)], 9 of 1822, 3 of 1823, 7 of 1828 and 3 of 1832, and Act 36 of 1837, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . . Act15,1874,s.4.

Mad. Regs. 9, 1822, and 7, 1828, extended to embezzlement of public property and falsification, etc., of accounts, etc., relating thereto . . . . . Act36,1837.

Mad. Regs. 9, 1822, and 7, 1828, applied to manager and other servants of Court of Wards Mad.Act1,1902,s.31

Duty of village-headman and rural police to provide, on payment, guide, food, transport, etc., for Government servant travelling on duty . . . . . Bur.Act6,1907,s.8(*g*).

See also TRAVELLER.

Exemption of, from prohibitions in Arms Act . . . . . Act11,1878,s.1(*b*).

Suit by or against ; procedure in. *See* CIVIL PROCEDURE, **4**.

Offences by or relating to. *See* CRIMINAL LAW (INDIAN), **7**, **9**.

Power of High Court to enforce performance of certain duties by. *See* SPECIFIC RELIEF.

Sale of offices. *See* CRIMINAL LAW AND PROCEDURE (ENGLISH).

Trial of, in England. *See* CRIMINAL LAW AND PROCEDURE (ENGLISH).

PUBLIC PARK. [BENGAL (EXCEPT THE SAMBALPUR DISTRICT) AND EASTERN BENGAL.]

Local extent of Ben. Act 2, 1904 . . . . . Ben.Act2,1904,s.1(*2*), Sch.

Definitions . . . . . ,, s.2.

Power to extend boundaries of, by notification . . . . ,, s.3.

,, make rules for management and preservation of, and for regulating public use of . . . . . ,, s.4.

Breach of rules ; penalty for . . . . . ,, s.4(*3*).

,, ,, procedure where offender refuses name and residence . . . . . ,, s.6.

Exhibition of notifications and rules in . . . . . ,, s.5.

PUBLIC PARK—*contd.*

Superintendents and park-darwans to be deemed "public servants." . . . . . Ben.Act2,1904,s.7.

General powers and duties of park-darwan . . . . . ,, s.8.

,, ,, of police constables . . . . . ,, s.9.

PUBLIC PROSECUTOR. *See* CRIMINAL PROCEDURE (INDIAN), 12 (*1*).

PUBLIC SERVANTS (INQUIRIES) ACT, 1850[1]. (*See* PUBLIC OFFICER) . . . . . Act37,1850.

PUBLIC SERVANTS (INQUIRIES) ACT, (1850), AMENDMENT ACT, 1897. (*See* PUBLIC OFFICER) . . . . . Act1,1897.

PUBLIC SERVANT. *See* PUBLIC OFFICER.

PUBLIC TRANQUILLITY.

Offences against. *See* CRIMINAL LAW (INDIAN), .

PUBLIC WORKS.

Act 9, 1860 (Disputes between workmen and employers)—

to take effect only in places to which extended by Government declared in force in— Act9,1860,s.9.

the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

Upper Burma (except the Shan States) . . . . . Act13,1898,s.4,Sch.1.

British Baluchistan . . . . . Reg.1,1890,s.3.

Power to authorise Magistrate to decide disputes between employers and workmen engaged on construction of railway, canal or other public work, when amount in dispute does not exceed R200 . . . . . Act9,1860,ss.1,2.

Procedure under Act 9, 1860 :

Local limits of Magistrate's jurisdiction ; place of sitting . ,, s.3.

Application of Code of Civil Procedure . . . . . ,, s.4.

Bar to appeal . . . . . ,, s.5.

Order for payment of money recovery of such money . . ,, ss.6,7.

Power to fine workman, or order specific performance of his contract under penalty . . . . . ,, s.8.

Expenses of Basses Rocks and Minicoy Light-houses . . 61-2V.c.44,s.2(*3*),Sch.3.

PUBLIC WORKS CESS. *See* LOCAL RATES AND CESSES, B.

PUBLICATIONS. *See* PRINTING-PRESSES AND PUBLICATIONS.

PUNISHMENT.

See CAPITAL PUNISHMENT ; CRIMINAL LAW AND PROCEDURE (ENGLISH) ; CRIMINAL LAW (INDIAN), 2 ; FORFEITURE ; IMPRISONMENT.

PUNJAB.

1. Laws, tc.

Certain districts in, are Scheduled Districts . . . . . Act14,1874,s.1,Sch.I,Pt.V. Act15,1874,s.2,Sch.VI, Pt.V.

Act 4, 1872, not to alter effect of Regulations made under 33 Vict. c. 3 (Government of India Act), s. 1 . . . . . Act4,1872,s.2.

Act 4, 1872, and s. 7 of Act 12, 1878, repealed in North-West Frontier . . . . . Reg.7,1901,s.5,Sch.3.

[1] This short title was given by Act 1, 1897, . 1.

PUNJAB—*contd.*

1. Laws, etc.—*contd.*

Certain Bengal Regulations declared in force (with modifications) to the exclusion of all others . . . . . Act4,1872,ss.3,4,Schs.I,II.
Rules of 1855 relating to Hill districts declared in force . . . s.3.Sch.I.

2. Civil Justice.

Law to be administered; validation of customs . . . . ,, ss.5,6,7.
Continuance of rules of descent declared by Government in case of families of assignees of land-revenue; annexing of conditions to assignment . . . . . ,, ss.8to8C.
Limitation for certain suits relating to ancestral land . . . P.Act1,1900.
,, ,, ,, for recovery of money . . . . P.Act1,1904.

3. Pre-emption.

P. Act 2, 1905, extends to the Punjab; operation of, how far retrospective . . . . . P.Act2,1905,ss.1,2.
Definitions . . . . . ,, ss.3,4.
Right of pre-emption, where it arises; none in cantonments and notified areas . . . . . ,, ss.4to9.
,, ,, none in respect of sale to Government, local authority, or to company under Part VII of Act 1, 1894 . . . ,, s.8.
,, ,, none in respect of shop, serai, katra, dharamsala, mosque, etc. . . ,, s.13(2).
Persons entitled to pre-emption in case of sale or foreclosure . ,, ss.11to15.
Exercise of right where several persons equally entitled . . ,, s.14.
Extinguishment of right on failure to give notice of intention to exercise right in certain cases . . . . . ,, s.17.
Notice to pre-emptors by intending vendor, and by pre-emptor to vendor . . . . . ,, ss.16,17.
Suit to enforce right of pre-emption; deposit in Court; execution of decree; sanction of Deputy Commissioner required in certain cases; revision . . . . . ,, ss.18to27.
Limitation . . . . . ,, ss.28,29.
Sum deposited in Court by pre-emptor under Act exempt from attachment, etc. . . . . ,, s.10.
Agreement to surrender rights under P. Act 1, 1902, binding on persons claiming pre-emption . . . . . P.Act1,1902,s.10(*1*)(*d*).
See also PRE-EMPTION.

4. Criminal Law and Police.

Indian Penal Code (except Ch. VI) applied to offences committed before 1st January 1862 . . . . . Act4,1872,s.39.
Power to establish system of village-watchmen or municipal watchmen, and make rules as to appointment, duties, powers, etc., of such watchmen . . . . . ,, s.39A.
Power to impose tax to meet expenses of watchmen . . . .
Obligation to assist watchmen and headmen; penalty for obstructing them . . . . . ,, s.39B.
Power to charge police enrolled under Act 5, 1861, with duties of watch and ward, etc., and impose taxes to meet expenses; procedure for imposing and collecting such taxes . . . ,, ss.39C, 39D,39E, 39F.

PUNJAB—*concld.*

4. Criminal Law and Police—*contd.*

Power to confer police-powers on any person, and withdraw such powers	Act4,1872,s.40.
Tracking offenders	„ ss.41,42.
Regulation of entry into city, town or district of band of armed men or foreign vagrants	„ ss.44, 45,46,50.
Penalty for village-community failing to provide for naubati chaukidari service	[1]Reg.3,1901,s.35.

5. Miscellaneous.

Slaughter of kine and sale of beef prohibited except under rules made by Local Government	Act4,1872,ss.43,50.
Control over crossing of rivers or streams on buoys or inflated skins	„ ss.47,50.
Control over use of pasturage or other natural product of Government land	„ ss.48,50.
Conditions of validity of future rules made under Act 4, 1872	„ s.50A.
Penalty for breach of rules made under Act 4, 1872	„ s.50B. Act12,1878,s.7.
Periodical republication of rules made by Local Government under Act 4, 1872, and circulars issued by Chief Court	Act4,1872,s.51(am. P.Act1,1910).
For further provisions enacted specially for the Punjab, see the appropriate heads.	
PUNJAB ALIENATION OF LAND ACT, 1900. [*See* LAND (IND. LAW); LANDLORD AND TENANT, XI; REGISTRATION OF DOCUMENTS]	Act13,1900.
PUNJAB ALIENATION OF LAND AMENDMENT ACT, 1907	P.Act1,1907.
PUNJAB COURTS ACT, 1884. (*See* CHIEF COURT OF THE PUNJAB; CIVIL COURTS, XIV; CIVIL PROCEDURE, 12; COURT-FEES 3; DISTRICT; DIVISION; EUROPEAN BRITISH SUBJECT; MATRIMONIAL CAUSES; SEAL)	Act18,1884.
PUNJAB COURTS ACT, 1888 (*See* CIVIL COURTS, XIV)	Act13,1888.
„ „ „ 1899	Act25,1899.
„ „ (AMENDMENT) ACT, 1895	Act19,1895.
„ „ „ 1909	P.Act1,1909.
„ „ OF WARDS ACT, 1903. (*See* COURT OF WARDS G.)	P.Act2,1903.
„ DESCENT OF JAGIRS ACT, 1900	P.Act4,1900.
„ DISTRICT BOARDS ACT, 1883. (*See* ANIMALS, B; CANTONMENT; EMBANKMENT, III; LOAN, B; LOCAL SELF-GOVERNMENT, VIII; MUNICIPALITY, XVI; POLICE II)	Act20,1883.
PUNJAB DISTRICT BOARDS ACT, AMENDMENT ACT, 1906	P.Act2,1906.
PUNJAB FRONTIER CROSSING REGULATION, 1873. (*See* FRONTIER)	Reg.7,1873.
PUNJAB FRONTIER JAGIR REVENUE COLLECTION REGULATION, 1874 (*See* FRONTIER)	Reg.7,1874.
PUNJAB FRONTIER POLICE OFFICERS REGULATION, 1893. (*See* FRONTIER)	Reg.7,1893.

[1] Reg. 3, 1901, has been extended to British Baluchistan by notification under Act 14, 1874.

PUNJAB GENERAL CLAUSES ACT, 1898. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES) . . . . . P.Act1,1898.

PUNJAB LAND PRESERVATION (CHOS) ACT, 1900. (*See* FOREST; LAND PRESERVATION) . . . . . P.Act2,1900.

PUNJAB LAND PRESERVATION (CHOS) ACT, AMENDMENT ACT, 1905 . . . . . P.Act4,1905.

PUNJAB LAND-REVENUE ACT, 1887. (*See* ALLUVION AND DILUVION; ARBITRATION; DISTRICT; DIVISION; FINANCIAL COMMISSIONER, PUNJAB; LAND (IND. LAW), I; LANDLORD AND TENANT, XI; LAND-REVENUE, II, XV; MINES AND MINERALS) Act17,1887.

PUNJAB LAND-REVENUE (AMENDMENT) ACT, 1896 . . Act17,1896.

PUNJAB LAWS ACT, 1872. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES, I; ALLUVION AND DILUVION; CHIEF COURT OF THE PUNJAB; CRIMINAL LAW (IND.); MORTGAGE; PUNJAB; STATE PRISONER) . . . . . Act4,1872.

PUNJAB LAWS AMENDMENT ACT, 1875. (*See* POLICE, II) Act15,1875.

PUNJAB LAWS AMENDMENT ACT, 1881 . . . . . Act24,1881.

" " " " 1910 . . . . . P.Act1,1910.

" " ACT AMENDMENT ACT, 1895 . . . . Act7,1895.

PUNJAB LIMITATION (ANCESTRAL LAND ALIENATION) ACT, 1900. (*See* PUNJAB) . . . . . P.Act1,1900.

PUNJAB LOANS LIMITATION ACT, 1904. (*See* LIMITATION OF TIME; NORTH-WEST FRONTIER PROVINCE; PUNJAB . . P.Act1,1904.

PUNJAB MILITARY TRANSPORT ANIMALS ACT, 1903. (*See* LOCAL SELF-GOVERNMENT, VIII; MARCHING TROOPS, 5; VILLAGE) . . . . . P.Act1,1903.

PUNJAB MINOR CANALS ACT, 1905. (*See* IRRIGATION V) P.Act3,1905.

PUNJAB MOTOR VEHICLES ACT, 1907. (*See* MOTOR CARS AND CYCLES) . . . . . P.Act2,1907.

PUNJAB MUNICIPAL ACT, 1891. (*See* CANTONMENT; COMPOUNDING OFFENCES; DOG; LOCAL SELF-GOVERNMENT, VIII; MUNICIPALITY, XVI; POLICY OF INSURANCE) . . . . Act20,1891.

PUNJAB MUNICIPAL (AMENDMENT) ACT, 1896 . . . . Act18,1896.

" " ACT AMENDMENT ACT, 1900 . . . P.Act3,1900.

" MURDEROUS OUTRAGES ACT, 1867. (*See* MURDEROUS OUTRAGES; STATE PRISONER) . . . . . Act23,1867.

PUNJAB MURDEROUS OUTRAGES (AMENDMENT) ACT, 1877. (*See* MURDEROUS OUTRAGES) . . . . . Act9,1877.

PUNJAB PRE-EMPTION ACT, 1905. (*See* CANTONMENT; PUNJAB) . . . . . P.Act2,1905.

PUNJAB RIVERAIN BOUNDARIES ACT, 1899. (*See* ALLUVION AND DILUVION) . . . . . P.Act1,1899.

PUNJAB STEAM BOILERS AND PRIME MOVERS ACT, 1902. (*See* STEAM BOILERS AND PRIME MOVERS) . . . . . P.Act2,1902.

PUNJAB TENANCY ACT, 1887. (*See* LANDLORD AND TENANT, XI; LAND-REVENUE, XV; MUNICIPALITY, XVI) . . . . Act16,1887.

PUNJAB TENANCY ACT (1887) AMENDMENT ACT, 1906 . P.Act1,1906.

" UNIVERSITY ACT, 1882. (*See* UNIVERSITY) . Act19,1882.

PURI LODGING HOUSE ACT, 1871. (*See* INFECTIOUS DISEASE; PILGRIM) . . . . . Ben.Act4,1871.

PURI LODGING HOUSE (EXTENSION) ACT, 1879. (*See* PILGRIM) . . . . . Ben.Act2,1879.
PURI LODGING-HOUSE (EXTENSION) ACT, 1884 . . Ben.Act1,1884.
PURI LODGING-HOUSE (AMENDMENT) ACT, 1908 . . Ben.Act3,1908.
QUARANTINE ACT, 1825.[1] (*See* INFECTIOUS DISEASE; MERCHANT SHIPPING) . . . . . 6G.4,c.78.
QUARANTINE. *See* CRIMINAL LAW (IND.), 12; INFECTIOUS DISEASE.
QUEEN; definitions of. *See* WORDS AND PHRASES.
RAILWAYS ACT (INDIAN), 1890 . . . . . Act9,1890.
" " " 1894 . . . . . 57-8V.c.12.
RAILWAY ACT (SIND-PISHIN), 1887 . . . . . Act11,1887.
" COMPANIES ACT (INDIAN), 1868[1] . . . 31-2V.c.26.
" " " " 1873[1] . . . 36-7V.c.43.
" " " " 1895 . . . Act10,1895.
" PROTECTION ACT, 1886 (*See* RAILWAY) . . Mad.Act4,1886.
RAILWAY.
1868. 31-2 V. c. 26 (Debenture Stock).
1872. Reg. 3, s. 3 (Santhál Parganas).
1873. 36-7 V. c. 43 (Issue of shares).
1879. 42-3 V. c. 41 (Guaranteed Railway Companies).
1880. Ben. Act 9, s. 8 (Cesses).
1885. 48-9 V. c. 25, ss. 22 to 24 (Debenture bonds; Directors; Returns).
" Act 8, s. 116 (Occupancy-right, Bengal and Eastern Bengal).
" Act 13, s. 6 (Telegraphs).
1886. Mad. Act 4 (Protection of Railways).
1887. Act 11 (Sindh-Peshin Railway).
1888. 51-2 V. c. 5 (Loans).
1889. Act 1, s. 8 (Metal Tokens).
1890. 53-4 V. c. 6 (Loans).
" Act 9 (Railways).
" Reg. 1, s. 3 (Laws, British Baluchistan).
1894. 57-8 V. c. 12 (Payment of interest out of capital).
1895. Act 10 (Payment of interest out of capital).
1898. Act 5, s. 184 (Trial in Presidency-town).
" Act 13, s. 4 (Laws, Burma).
1899. U. P. Act 2 (Collection of taxes).
1905. Act 4 (Railway Board).
1910. Act 9, s. 39 (Electricity).
1. Preliminary.
2. Inspection of Railways.
3. Construction and Maintenance of Works.
4. Opening and Closing of Railways.
5. Railway Commissions and Traffic Facilities.
6. Working of Railways.
7. Responsibility of Railway Administrations as Carriers.
8. Accidents.
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1. Preliminary.

Act 9, 1890, declared in force in Santhál Parganas . . . Reg.3,1872,s.3,Sch.
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[1] This short title was given by 59 & 60 Vict. c. 14.

RAILWAY—*contd.*

2. Inspection of Railways.

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3. Construction and maintenance of works.

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Protection of railway from escape or overflow of water from irrigation works in Madras Presidency:		
Collector may enter land and inspect irrigation-works, and order landholder to take necessary measures; landholder, tenants and other persons concerned to be heard	Mad. Act 4, 1886,	ss.3 to 8.
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4. Opening and Closing of Railways.

Locomotives or other motive power and rolling-stock; sanction required to use of	Act 9, 1890,	s.16(*1*).
Rolling-stock not to be moved until general rules published	„	s.16(*2*).
Notice to be given and sanction obtained before opening railway for public carriage of passengers or before opening certain works; report by inspector before giving sanction; power to dispense with this procedure by rule	„	ss.17 to 20, 22.
Power of railway-servant to open railway for public carriage of passengers after accident, in absence of Inspector	„	s.21.
„ Governor General in Council to close an opened railway, or direct discontinuance of use of defective rolling-stock, or impose conditions; re-opening of railway so closed, etc.	„	ss.23,24.
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RAILWAY—*contd.*

5. Railway Commissions and Traffic Facilities.

(*a*) Railway Commissions.

Constitution of Commission; time and place of sitting; appointment of members	Act9,1890,s.26.
To take cognizance only of cases referred by Governor General in Council; cases which may be so referred	,, ss.27,28.
Reference to, of objections as to through rate for traffic on different lines; power of Commission	,, s.42.
Procedure of Commission in deciding whether a lower charge amounts to undue preference	,, s.43.
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Assessors and their remuneration	,, s.33.
Power of Governor General in Council to make rules to regulate proceedings and prescribe fees	,, s.34.
Costs; execution of orders; presumptions as to documents purporting to be signed by Commissioners	,, ss.35to37.
Reports by Commissioners to Governor General in Council	,, s.38.
Dissolution of	,, s.39.
Bar of jurisdiction of ordinary Courts	,, s.40.

(*b*) Traffic Facilities.

Railway-administrations to afford reasonable facilities for receiving, forwarding and delivering traffic; not to make undue preference; through rates to be allowed; reference to Railway Commission of objections to rate, apportionment or route	,, s.42.
Undue preference in case of unequal rates for like traffic or services; reference to Railway Commission	,, s.43.
Ss. 42 and 43 of Act to apply in case of ships or boats being used which are not part of railway	,, s.44.
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,, fixing of, by Railway Commission	,, s.46.

6. Working of Railways.

(*a*) Generally.

General rules to be made, sanctioned, published and kept at stations, and inspection to be allowed	,, s.47.
,, ,, to be published before rolling stock moved	,, s.16(2).
,, ,, ,, ,, ,, opening of railway sanctioned	,, s.19(*e*).
Disposal by Governor General in Council of differences between Railway-administrations as to conduct of joint traffic	,, s.48.
Power of Railway Company to make and carry into effect—	
agreement with Secretary of State in Council or Governor General in Council or another Railway Company or Railway-administration for working railway, etc.	42-3V.c.41,s.2. Act9,1890,s.50.
agreement with Secretary of State in Council as to telegraphs	42-3V.c.41,s.3.

RAILWAY—*contd.*

6. Working of Railways—*contd.*

(a) Generally—*contd.*

Power of Railway Company to make and carry into effect—*contd.*

agreement with Secretary of State in Council or Governor General in Council for construction or leasing of rolling stock, etc. . . . . 42-3V.c.41,s.4(*d*). Act9,1890,s.49.

Railway Company may, with sanction of Secretary of State in Council or Governor General in Council, maintain, etc., ferries, roads or bridges, and take tolls in respect thereof, and provide means of transport . . . . . 42-3V.c.41,s.4. Act9,1890,s.51.

Recovery of tolls by Railway Company . . . . . 42-3V.c.41,s.4.

Powers of Secretary of State in Conucil under 42-3 V. c. 41 may be delegated to Governor General in Council; powers cumulative; validation of past agreements . . . . . ,, ss.5to7.

Establishment and maintenance of telegraphs by Government . Act13,1885,s.6.

Power to use electrical energy not affected by Act 9,1910, s.30 . Act9,1910,s.30.

Returns of capital and revenue transactions and traffic to be forwarded to Governor General in Council . . . . . Act9,1890,s.52.

(b) Carriage Property.

Maximum load for wagon or truck . . . . . ,, s.53.

Railway-administration may impose conditions for working traffic; exhibition and inspection thereof . . . . . ,, s.54.

Railway-administration not bound to carry animal suffering from infectious or contagious disorder . . . . . ,, s.54(*3*).

Lien for rates, terminals and other charges; sale of property . ,, s.55.

Sale of unclaimed property after notice . . . . . ,, s.56.

Power to require indemnity on delivery of property or sale-proceeds, when several claimants or when ticket or receipt not produced . . . . . ,, s.57.

Requisitions for written account of description of goods . . ,, s.58.

Carriage of dangerous or offensive goods . . . . . ,, s.59.

Exhibition to the public of authority for quoted fares . . ,, s.60.

Requisition on Railway-administration for details of gross charges . . . . . ,, s.61.

(c) Carriage of passengers.

Communication between passengers and railway-servants in charge of train . . . . . ,, s.62.

Maximum number of passengers for each compartment . . ,, s.63.

Reservation of compartments for females; one such compartment to be provided with closet . . . . . ,, s.64.

Exhibition of time-tables and tables of fares at stations . . ,, s.65.

Ticket; supply of, on payment of fare . . . . . ,, s.66.

,, right of passengers who have taken tickets when train has not sufficient room for them . . . . ,, s.67.

,, prohibition against travelling without pass or; exhibition and surrender of pass or . . . . . ,, ss.68,169.

Ticket; return or season, not transferable . . . . . ,, s.70.

Carriage of persons suffering from infectious or contagious disorder . . . . . ,,ss.47(*d*),71.

RAILWAY—*contd.*

6. Working of Railways—*concld.*

(*c*) CARRIAGE OF PASSENGERS—*contd.*

Power to make rules to provide for accommodation and convenience of passengers and carriage of luggage . . . . Act 9, 1890, s. 47(*b*).

See also below, 7.

7. Responsibility of Railway Administrations as Carriers.

Responsibility that of bailee under ss. 151, 152 and 161 of Contract Act, 1872; agreements limiting that responsibility; bar of English common law and Carriers Act, 1865 . . . . ,, s. 72.

Pecuniary limit to responsibility for loss, etc., of animals of various kinds . . . . . ,, s. 73.

No responsibility for passengers' luggage unless railway-servant has booked it and given receipt . . . . . ,, s. 74.

Articles of special value; declaration of value and payment of percentage for increased risk . . . . . ,, s. 75, Sch. II.

Burden of proof in suit . . . . . ,, s. 76.

Claim to compensation for loss, etc., when to be sent in . . ,, s. 77.

False description how far to exonerate Railway-administration from responsibility . . . . . ,, s. 78.

Settlement of compensation for injuries to officers, soldiers and followers travelling on duty on Government railway . . ,, s. 79.

Suit for compensation for injury to passenger or property booked through may be brought against any of the Railway-administrations concerned . . . . . ,, s. 80.

Contract for carriage partly by sea; condition exempting from loss, etc., by act of God, King's enemies, etc., to be implied; responsibility to be that of owner under Merchant Shipping Act, 1894; burden of proof . . . . . ,, s. 82.

8. Accidents.

Report of, by Railway-administration to Local Government and Inspector; notice by railway-servant to Magistrate and police ,, s. 83.

Power to make rules as to notices and duties of railway-servants, police-officers, Inspectors and Magistrates . . . . . ,, s. 84.

Duty of Inspector to make enquiries . . . . . ,, s. 4(*c*).

Temporary entry on adjoining land, for repairing or preventing accident . . . . . ,, s. 9.

Power of railway-servant to open railway for public carriage of passengers after accident, in absence of Inspector . . . ,, s. 21.

Return of accidents to be sent by Railway-administration to Governor General in Council . . . . . ,, s. 85.

Compulsory medical examination of person injured; costs . ,, s. 86.

9. Offences, Penalties and Procedure.

(*a*) OFFENCES INVOLVING FORFEITURE BY RAILWAY COMPANIES.

Forfeiture for not complying with requisition to provide boundary-mark, fence, screen, gate, bar, etc. . . ,, s. 87.

moving rolling-stock before general rules published or opening or using railway or work without sanction and inspection or certificate and notice ,, s. 88.

RAILWAY—*contd.*

9. Offences, Penalties and Procedure—*contd.*

(*a*) Offences involving forfeiture by Railway Companies—*contd.*

Forfeiture for not keeping documents open to inspection or conspicuously posted	Act 9, 1890,	s.89.
,, ,, not making general rules	,,	s.90.
,, ,, not complying with decision of Governor General in Council as to conduct of joint traffic	,,	s.91.
,, ,, not submitting return of capital and revenue transaction, traffic or accidents	,,	s.92.
,, ,, contravening s. 53 or s. 63, as to maximum load of wagon or truck or maximum number of passengers in compartment	,,	s.93.
,, ,, not providing approved means of communication between passengers and railway-servants in charge of train	,,	s.94.
,, ,, not reserving compartments for females or providing closets therein	,,	s.95.
,, ,, not giving prescribed notices of accident	,,	s.96.
Remission of forfeitures	,,	s.97.

(*b*) Other Offences.

Railway-servant not exhibiting authority for quoted fares	,,	s.99.
,, intoxicated on duty, or endangering safety of any person	,,	ss.100,101.
,, compelling passenger to enter carriage already full	,,	s.102.
,, not giving prescribed notices of accident	,,	s.103.
,, obstructing level-crossing	,,	s.104.
,, failing to separate from other passengers passenger suffering from infectious or contagious disorder	,,	s.117(2).
Passenger needlessly interfering with means of communication with railway-servant in charge of train	,,	s.108.
,, entering compartment reserved or already full, or resisting entry of another passenger into compartment not reserved or full	,,	s.109.
,, smoking in compartment	,,	s.110.
,, fraudulently travelling without proper pass or ticket	,,	ss.112,113.
,, transferring or purchasing half of return ticket	,,	s.114.
,, altering or defacing ticket	,,	s.116.
,, travelling without permission while suffering from infectious or contagious disorder	,,	s.117(1).
,, entering or leaving carriage in motion, or travelling on roof, footboard, etc.	,,	s.118.
Breach of rule	,,	s.47(2).
Signing false return	,,	s.10.
Giving false account of goods	,,	s.10.
Bringing dangerous or offensive goods on railway without notice	,,	s.107.
Defacing notice	,,	s.111.
Entering carriage or other place reserved for females	,,	s.119.

RAILWAY—*contd.*

9. Offences, Penalties and Procedure—*concld.*

(*b*) Other Offences—*contd.*

Intoxication, committing nuisance, etc.	Act9,1890,s.120.
Obstructing railway-servant; trespass	,, ss.121,122.
Driver of tramcar, carriage, etc., disobeying railway servant	,, s.123.
Opening or not properly shutting gate, etc.	,, s.124.
Cattle-trespass; application of Cattle-trespass Act, 1871	,, s.125.
Wrecking or attempting to wreck train, or throwing stone, etc., at train, or otherwise endangering safety of persons travelling, or obstructing rolling-stock; minors under 12 punishable	,, ss.126to130.

(*c*) Procedure.

Recovery of sums forfeited by Railway Company	,, ss.97,98.
,, of sums payable by passenger travelling without pass or ticket, etc.	,, s.113.
,, of fines for cattle-trespass	,, s.125(*3*).
,, of amount of bond to prevent offence by minor	,, s.130(*2*).
Payment to Railway-administration of portion of fine imposed on passenger for travelling without proper pass or ticket	,, s.115.
Arrest without warrant	,, ss.131,132.
Magistrates having jurisdiction; place of trial	,, ss.133,134.
Offences, wherever committed, may be tried in Presidency-town	Act5,1898,s.184.

10. Miscellaneous and Local.

Investment of Railway Board with powers under Act 9, 1890	Act4,1905.
Claim to refund of overcharge when to be sent in	Act9,1890,s.77.
Control over taxation of Railways by Local Authorities	,, s.135.
Sanction of Governor General in Council required to levy of road cess or public work cess	Ben.Act9,1880,s.8.
Sanction of Governor General in Council required to execution against railway property	Act9,1890,s.136.
Railway-servant included in Penal Code, Chapter IX (offences by or relating to public servants); not to buy property sold under Act, or to engage in trade	,, s.137.
Summary recovery of railway property detained by railway-servant or his representative	,, s.138.
Communications from Governor General in Council or Local Government by whom to be signed	,, ss.139,144 (*2*).
Service of notices, etc., on or by Railway-administration	ss.140to142.
Rules; publication, notification, cancellation and variation of	,, s.143.
Delegation of powers of Governor General in Council to Local Government	,, s.144.
Representation of Managers and Agents of Railways in Courts	,, s.145.
Power to extend Act to tramway worked by mechanical power	,, s.146.
,, to exempt railway from Act	,, s.147.
Payment by Railway Company of interest out of capital:	
Power to pay interest, under certain restrictions	57-8V.c.12,ss.3,4. Act10,1895,ss.3,4.

RAILWAY—*concld.*

10. Miscellaneous and Local—*concld.*

Payment by Railway Company of interest out of capital—*contd.*

Notice to be given in prospectus and other documents; acounts to show interest . . . . . 57-8V.c.12,ss.5,6. Act10,1895,ss.5,6.

Construction of borrowing powers . . . . . 57-8V.c.12,s.7. Act10,1895,s.7.

Sanction of past payments . . . . . 57-8V.c.12,s.8.

Prohibition of receipt by Railway-administration, as money, of metal which is not coin . . . . . Act1,1889,s.8.

Power of Railway-administration in United Provinces to collect Municipal and Cantonment taxes in certain cases under agreement . . . . . U.P.Act,2,1899.

Sind-Pishin Section of North-Western Railway:

Act 9, 1890, to apply only so far as extended by notification . Act11,1887,s.3.

Carriage of passengers and property permissive only; power to impose conditions and restrictions . . . . . ,, s.4.

Government not liable for injury or loss, unless it has notified acceptance of responsibility . . . . . ,, s.5.

Act 11, 1887, declared in force in British Baluchistan . . Reg.1,1890,s.3.

Railway Companies (*see also* FINANCE):

Issue of debenture stock by . . . . . 31-2V.c.26.

,, ,, ,, bonds payable to bearer or order, etc. . . . . 48-9V.c.25,s.23.

,, registration, and transfer of shares, stock, etc. . . 36-7V.c.43.

Power of Secretary of State to appoint deputy Government directors . . . . . 48-9V.c.25,s.22.

,, ,, ,, to require returns, etc. . . ,, s.24.

,, ,, ,, to borrow for purchase of Oudh, etc., and South Indian railways, and for construction of railways 51-2V.c.5. 53-4V.c.6.

Chapter V of Bengal Tenancy Act, 1885, not to confer right of occupancy in, and Chapter VI thereof (non-occupancy raiyats) not to apply to, land acquired by the Government for a Railway Company . . . . . Act8,1885,s.116(am.Ben. Act1,1907,s.40,E.B.and A.Act.1,1908,s.40).

See also EAST INDIAN RAILWAY COMPANY; ELECTRICITY; INDUS VALLEY STATE RAILWAY; LOCAL SELF-GOVERNMENT, IX, 3, ; MUNICIPALITY, XV, 6 (*s*); OUDH AND ROHILKHAND RAILWAY; PROVIDENT FUND; SOUTH INDIAN RAILWAY.

RAILWAY COMMISSION. *See* RAILWAY, 5 (*a*).

RAIN-GAMBLING ACT (BENGAL), 1897. (*See* GAMING) . Ben.Act3,1897.

RAIN-GAMBLING.

Acts for prevention of . . . . . Ben.Act3,1897. Bom.Act1,1890.

RAIPUR AND KHATTRA LAWS ACT, 1879. (*See* RAIPUR AND KHATTRA) . . . . . Act19,1879.

RAIPUR AND KHATTRA.

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RANGOON.

Modification of Telegraph Act in its application to . . . Act13,1885,s.34.

RANGOON—*contd.*
Small Cause Court. *See* SMALL CAUSE COURTS, B, 5.
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RANGOON POLICE ACT, 1899. (*See* ANIMAL, B; ARMS, AMMUNITION AND MILITARY STORES; BROTHEL AND DISORDERLY HOUSE; CRIMINAL PROCEDURE (IND.); DISTURBED DISTRICT; DOG; FIRE, II; GAMING; NUISANCE; PLACES OF PUBLIC RESORT OR ENTERTAINMENT; POLICE, I; STREETS, THOROUGHFARES AND PUBLIC PLACES; WEIGHTS AND MEASURES) Bur.Act4,1899

RANGOON POLICE ACT AMENDMENT ACT, 1902 . . Bur.Act2,1902.
1904 . . „ 1,1904.
1907 . . „ 4,1907.

RANGOON PORT ACT, 1905 [*See* CUSTOMS (SEA); PORT; PORT COMMISSIONERS, ETC.] . . . . . Bur.Act4,1905.

RANGOON PORT ACT (1905) AMENDMENT ACT, 1906 . . Bur.Act1,1906.
„ „ (AMENDMENT) ACT, 1908 . . . Bur.Act 4,1908.

„ VICTORIA MEMORIAL ACT, 1908. (*See* VICTORIA MEMORIAL) . . . . . Bur.Act1,1908.

RANGOON WATERWORKS ACT, 1884. (*See* MUNICIPALITY, X) Act19,1884.
„ „ „ AMENDMENT ACT, 1900 . Bur.Act1,1900.
„ „ „ „ „ 1907 . BurAct2,1907.

RAPE.
By husband on child wife; what police-officers to investigate and what Magistrates to try . . . . . Act5,1898,s.561.
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RATE; definitions of. *See* WORDS AND PHRASES.

RATE AND CHARGES.
On private estates managed by Government, to cover cost of management, etc:
Act 10, 1892, extends to whole of British India, including British Baluchistan . . . . . Act10,1892,s.1.
„ „ declared in force in Santhál Parganas . . . Reg.3,1872,s.3,Sch.
„ „ „ „ in Upper Burma except Shan States . . . . . Act13,1898,s.4,Sch.1.
Definitions . . . . . Act10,1892,s.2.
Power to levy rate to cover cost of establishments and contingent expenses . . . . . „ s.3.
„ „ charges for legal advice or auditing of accounts . „ s.4.
Act not to apply to special expenditure . . . . . „ s.5.
Validation of past rates . . . . . „ s.6.
Power of Local Government to make rules and orders for working of Act . . . . . „ s.7.
Questions of cost exempted from jurisdiction of Civil Courts . „ s.8.

RATES AND CESSES. *See* LOCAL RATES AND CESSES.

RECEIVER.
Appointment of. *See* CIVIL COURTS, XII, B, 3; CIVIL PROCEDURE, 5.

RECOGNIZED AGENT; definitions of. *See* WORDS AND PHRASES.

RECORDS.

Act 3, 1879, extends to whole of British India . Act3,1879,s.1.
" " declared in force in—
the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
Upper Burma, except the Shan States (ss. 2, 4, 5, 7 and 8) . . . . . Act13,1898,s.4,Sch.1.
Power of High Court and Chief Controlling Revenue-authority to make rules for disposal of, by destruction or otherwise . Act3,1879,s.7.
Power to make rules as to keeping of. *See* OUDH, **6**.
Custody of. *See* AJMERE, **4**; CENTRAL PROVINCES, **3**.
Custody and destruction of. *See* DEKKHAN AGRICULTURIST, **4**.
Revenue-records:
See LAND-REVENUE, II, **3**; V, B, **4** (*b*); VII, A, **4**; VII, B; VII, C, **2**; XI, **3** (*d*), XI, **4** (*b*); XII, **3**; XV, **4** (*b*); XVI, **3**; XVI, **4** (*b*).
Record-of-rights:
In Santhál Parganas . . . . . Reg.3,1872,ss.12to14(s.13 am.Reg.3,1908,s.5).
In other places. *See* LAND (IND. LAW), D, (*b*); E; LANDLORD AND TENANT, III, A, **4**; IV, A, **4**; IX, **4**. LAND-REVENUE, V, B, **3** (*d*); X, **4**; XI, **3** (*d*); XI, **4** (*b*); XII, **3**; XV, **4** (*b*); XVI, **3**; XVI, **4** (*b*).

RECOVERY OF LAND-REVENUE.
See cross-references from COLLECTION OF LAND-REVENUE.

RECUSANT WITNESSES ACT, 1853[1] . . . . . Act19,1853.

RECUSANT WITNESS.
Liability to damages where party or witness neglects to obey summons or, being in Court, refuses to give evidence or produce document . . . . . (As.)Act19,1853,s.26.

RED SEA AND INDIA TELEGRAPH COMPANY.
Transfer of property of; charge on Consolidated Fund of terminable annuity for shareholders; contribution out of revenues of India . . . . . 25-6V.c.39.

REFORMATORY SCHOOLS ACT, 1897 (*See* APPRENTICE; REFORMATORY SCHOOL; YOUTHFUL OFFENDER) . . . Act8,1897.

REFORMATORY SCHOOL.
Act extends to whole of British India except Coorg and Punjab, and may be extended to those provinces by notification . Act8,1897,s.1.
" declared in force in Santhál Parganas . . . . Reg.3,1872,s.3,Sch.
" " " in Upper Burma, except Shan States . Act13,1898,s.4,Sch.1.
Definitions . . . . . Act8,1897,s.4.
Power to establish and maintain . . . . . " s.5.
" use as school kept by private person . . . . " s.5.
" discontinue . . . . . " s.5.
Requisities of . . . . . " s.6.
Inspection of, before use . . . . . " s.7(*1*).
Visiting of, by Inspector-General; report by him to Local Government . . . . . " s.7(*2*).

[1] This short title was given by Act 5, 1897, s. 4.

REFORMATORY SCHOOL—*contd.*

Appointment of Superintendent and Committee of Visitors or Board of Management; constitution of Committee or Board; suspension or removal of Superintendent or member . .	Act 8, 1897, s. 17.
Duties of Committee of Visitors	,, s. 23.
Powers of Board of Management, generally	,, s. 24.
,, ,, ,, for making rules . . .	,, s. 26(*1*).
Power to appoint Trustees or Managers of any school to be Board of Management of	,, s. 25.
Power of Local Government to make rules for	,, s. 26(2).
Offences and penalties	,, ss. 27, 28.
Application of provisions of Act 3, 1900, to	Act 3, 1900, s. 14.

See also YOUTHFUL OFFENDER.

REFORMATORY SETTLEMENTS FOR CRIMINAL TRIBES. *See* CRIMINAL TRIBES, 2.

REGENCY ACT, 1910. (*See* CROWN)	10 Edw. 7 and 1 Geo. 5, c. 26.
REGIMENTAL DEBTS ACT, 1893. [*See* ADMINISTRATOR GENERAL; ARMY, 6 (*e*) (2)]	56-7 V. c. 5.

REGISTERED; definitions of. *See* WORDS AND PHRASES.

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES (ARMY) ACT, 1879 (*See* ARMY; REGISTRATION OF BIRTHS, ETC.)	42-3 V. c. 8.
REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES (SCOTLAND) ACT, 1854. (*See* EVIDENCE, I) . . .	17, 18 V. c. 80.
REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES) (SCOTLAND) AMENDMENT ACT, 1910. (*See* EVIDENCE, I)	10, Edw. 7 and 1 Geo. 5, c. 32.

REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ETC.

1870. Act 8, ss. 2, 3 (Female Infanticide).
1870. Ben. Act 6, s. 39 (7) (Chaukidars).
1872. Reg. 3, s. 3 (Laws, Santhál Parganas).
1873. Ben. Act 4 (Births and Deaths).
1876. Ben. Act 1 (Marriages and Divorces of Muhammadans).
1879. 42-3 V. c. 8 (Army).
1883. Reg. 1, s. 18 (9) (Rural Police, Assam).
1886. Act 6 (General).
1890. Reg. 1, s. 3 (Laws, British Baluchistan).
1892. 55-6 V. c. 23, ss. 9 to 11, 17, 18, 24. (Marriages out of United Kingdom).
1894. 57-8 V. c. 60, ss. 254, 339 (Merchant Shipping).
1898. Act 13, s. 4 (Laws, Burma).
1899. Mad. Act 3 (Births and Deaths).
1907. Bur. Act 3, s. 7 (Towns).
,, Bur. Act 6, s. 8 (Villages).
1910. Act 15, s. 24 (Cantonments).

A.—GENERALLY

1. Preliminary.
2. General Registry Offices of Births, Deaths and Marriages.
3. Registration of Births, Deaths and Marriages.
4. Past Rgisters or Records of Births, Baptisms, Namings, Dedications, Deaths, Burials and Marriages.
5. Miscellaneous.

REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ETC.—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT), EASTERN BENGAL AND ASSAM. — **1. Registration of Births, and Deaths. 2. Voluntary Registration of Mahammadan Marriages and Divorces.**

C.—MADRAS PRESIDENCY RURAL TRACTS.

A.—GENERALLY.

1. Preliminary.

Act 6, 1886, extends to whole of British India and, as regards British subjects, to Indian States in alliance with Her Majesty	Act6,1886,s.2.
" " declared in force in British Baluchistan	Reg.1,1890,s.3.
" " " " in Santhál Parganas	Reg.3,1872,s.3.Sch.
" " " " in Upper Burma, except Shan States	Act13,1898,s.4,Sch.1.
" " not to affect local laws as to registration of births and deaths	Act6,1886,s.4.
Definitions	" s.3.

2. General Registry Offices of Births, Deaths and Marriages.

Establishment of offices and appointment of Registrars General	" s.6.
Indexes to be kept at	" s.7.
Inspection of indexes, and granting of copies from registers; such copies to be admissible in evidence	" ss.8,9.
Superintendence of Registrars by Registrar General	" s.10.

3. Registration of Births, Deaths and Marriages.

Persons whose births and deaths registrable under Act 6, 1886	" s.11.
Registrars; appointment, etc., of	" ss.12to15,17.
" office of, and Registrar's attendance thereat	" s.16.
Register-books, and preservation of records	" s.18.
Registrar to register births and deaths	" ss.19.26.
Who may give notice of birth or death; signature of entry by informant	" ss.20to22.
Penalty for false information	" s.27.
Grant of certificate of birth or death	" s.23.
Correction of errors in registers	" s.28.
Sending of certified copies of entries to Registrar General	" ss.24,28(2).
Searches; grant of copies of entries; copies to be evidence	" s.25.
Registration of births and deaths in ships	57-8V.c.60,ss.254,339, Sch.VIII.
Power to make rules for registration of births and deaths in cantonments	Act15,1910,s.24.

See also EVIDENCE, I.

Registration of births and deaths to be under management of Local Self-Government Boards in Bengal. *See* LOCAL SELF-GOVERNMENT, III, 3.

Registration of births, marriages and deaths by District and Local Boards, Punjab and North-West Frontier. *See* LOCAL SELF-GOVERNMENT, VIII, 3.

REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ETC.—*contd.*

A.—GENERALLY—*contd.*

3. Registration of Births, Deaths and Marriages—*contd.*

Registration of births, etc. in municipalities :
See under MUNICIPALITY, (*Sub-heading* "THE PUBLIC HEALTH, SAFETY AND CONVENIENCE").

Registration of Births, etc., in Bazars in British Baluchistan. [*See* BRITISH BALUCHISTAN, II, 6 (*s*)].
See also ADEN, 3.

Registration of births, marriages and deaths under Infanticide Act . . . . . Act8,1870,ss.2,3.

Village headmen to register births and deaths . . . . . Bur.Act6,1907,s.8(*j*).

Headman of ward to register births and deaths . . . Bur.Act3,1907,s.7(*1*)(*h*).

Duties of registrar in connection with vaccination of children. *See* VACCINATION, II, 3 ; III, 3.

Transmission to Registrar General of registers of or documents showing births, deaths and marriages of officers, soldiers and their families abroad ; record of entries and evidence . . 42-3V.c.8.

Marriages by or before marriage officers, or solemnized under local law out of United Kingdom : registration of, in duplicate ; transmission of certified copies of entries to Secretary of State ; custody of register books, etc. . . . . 55-6V.c.23,ss.9to11,17, 18,24.

Registration of marriages. *See also* MARRIAGE, II, A, 3 ; II, B, 3 ; II, C, 2 ; II, E.

4. Past Registers or Records of Births, Baptisms, Namings, Dedications, Deaths, Burials and Marriages.

Permission to send them to Registrar General before 1st April 1891 . . . . . Act6,1886,s.32.

Appointment of Commissioners to examine them ; Commissioners to prepare lists, etc. . . . . Act6,1886,ss.33,34.

Searches of such lists, and grant of copies of entries ; such copies to be evidence . . . . . ,, s.35.

Power to appoint additional Commissioners . . . . . ,, s.35A.

5. Miscellaneous.

Rules ; general power to make, for working of Act 6, 1886 . . ,, s.36.

,, publication of . . . . . ,, s.37.

Powers conferred by Act 6, 1886, exercise able from time to time ,, s.5.

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) EASTERN BENGAL AND ASSAM.

1. Registration of Births and Deaths.

Power of Local Government to direct registration in any area in Bengal . . . . . Ben.Act4,1873,s.1.

,, of Municipal Commissioners in districts to keep register . ,, s.11.

Ben. Act 4, 1873, declared in force in the Santhál Parganas . Reg.3, 1872, s.3.Sch.

Procedure for effecting registration :

Constitution of districts . . . . . Appointment, etc., of Registrars . . . . . Ben.Act4,1873,s.2.

REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ETC.—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) EASTERN BENGAL AND ASSAM—*contd.*

1. Registration of Births and Deaths—*contd.*

Procedure for effecting registration :

Office of Registrar, and his attendance thereat	Ben.Act4,1873,ss.2,3.
Register-books	,, s.4.
Registrar to register ; penalty	,, ss.5,9.
What persons bound to report births and deaths ; penalties	,, ss.6to8,10.
Report by chaukidars of births and deaths occurring in village	Ben.Act6,1870,s.39(7).
Report by rural policemen of births and deaths occurring in their beat	(As.)Reg.1,1883,s.18(9).
Delegation of District Magistrate's functions	Ben.Act4,1873,s.12.

2. Voluntary Registration of Muhammadan Marriages and Divorces.

Power to extend Ben. Act 1, 1876, to any district in Bengal (except Sambalpur) or Eastern Bengal	Ben.Act1,1876,s.1.
Definitions	,, s.2.
Muhammadan Registrars :	
Licensing of	,, s.3.
Deemed to be "public servants"	,, s.25.
Seal and books of	,, ss.4,5.
Registers to be kept by	,, ss.6,7,Sch.
To register marriages and divorces on application ; their fees	,, ss.8to10.
Control over, by Registrar and Inspector General of Registration	,, ss.17to19, 22,23.
Refusal of, to register, and appeal therefrom	,, ss.20,21.
Signature of entries in register	,, s.11.
Copy of entry to be given to parties	,, s.12.
Index to contents of register ; searches and copies	,, ss.13to16.
Powers for making rules	,, ss.18,19,24,
Ben. Act 1, 1876, not to affect validity or invalidity of marriages or divorces, etc.	,, s.26.

C.—MADRAS PRESIDENCY (RURAL TRACTS).

Mad. Act 3, 1899, applies to notified areas beyond City of Madras and municipalities	Mad.Act3,1899,s.2.
Registration of births and deaths to be proclaimed to be compulsory	,, s.4.
Appointment, etc., of Registrars for village or ward	,, s.5.
Registrar to reside in village or ward ; office of	,, s.6.
Register books	,, ss.5(2),7.
Registrar to inform himself of births and deaths and to register without fee or reward all information furnished	,, ss.7,15.
What persons bound to report births and deaths ; person giving oral information to write his name or put mark on register ; penalty	,, ss.8to13, 18.
Name of child to be entered in register if supplied within twelve months of registration	,, s.16.
Extract from birth register to be given free of charge to informant	,, s.14

REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ETC.—*concld.*

C.—MADRAS PRESIDENCY (RURAL TRACTS).

Search of and copies of entries for registers . . . . . Mad.Act3,1899,s.17.
Penalties, prosecution not to be instituted except under order of Tahsildar or other superior officer; right of accused to appear and be defended by agent . . . . . „ ss.18,19.
Power to make rules . . . . . „ s.20.

REGISTRATION OF BOATS.
In Bombay Harbour. *See* PUBLIC CONVEYANCE.

REGISTRATION OF BOOKS, ETC. *See* COPYRIGHT, 1 (*b*), 3, 5 (*b*); PRINTING-PRESSES.

REGISTRATION OF COMPANIES AND THEIR PROCEEDINGS. *See* COMPANY, 2 (*a*), (*c*), 3.

REGISTRATION OF CRIMINAL TRIBES . . . . . Act3,1911.

REGISTRATION OF DESIGNS. *See* DESIGNS.

REGISTRATION ACT (INDIAN), 1908 . . . . . Act16,1908.

REGISTRATION REGULATION (UPPER BURMA) 1897. . Reg.2.1897.

REGISTRATION OF DOCUMENTS.

1. Preliminary.

Act 16, 1908, extends to whole of British India except areas excluded by order of Local Government . . . . . Act16,1908,s.1.
Definitions . . . . . „ s.2

2. Establishments and Offices.

Inspectors General, Branch Inspector General of Sindh; appointment of . . . . . „ ss.3,4.
Districts and sub-districts; formation of . . . . . „ ss.5,9.
Registrars and sub-registrars:
Appointment of, and establishment of office for . . . . „ ss.6,7.
Who to act in case of absence, etc., of . . . . . „ ss.10to13.
Inspectors of registration offices; appointment and duties of . „ s.8.
Suspension, removal and dismissal of officers . . . . „ s.13.
Remuneration of, and establishments for, officers . . . „ s.14.
Seals of officers . . . . . „ s.15.
Registering officers deemed public servants . . . . . „ s.84.

3. Registrable Documents.

Registration of certain documents compulsory . . . . . „ s.17.
Registration of certain documents optional . . . . . „ ss.17,18,41, 90.
Registration when compulsory in case of certain transfers. *See* GIFT; LEASE; MORTGAGE, 1; SALE, 1.
Refusal to register unless—
translation supplied . . . . . „ s.19.
interlineation, etc., attested . . . . . „ s.20.
document contains description of parcels and has annexed a copy of any map or plan referred to in it . . . . . „ ss.21,22.
Effect of registration and effect of non-registration . . . „ ss.47to50.

REGISTRATION OF DOCUMENTS—*contd.*

4. Procedure and Administrative Provisions.

Time of presentation for registration	Act16,1908,ss 23to27
Place „ „ „	„ ss.28to31.
Who to present for registration	„ ss.32,33,40, 89
Presentation and registration of wills and authorities to adopt	„ ss.40 41.
Attendance of executants and enquiry by registering officer as to execution	„ ss.34,35.
Attendance of certain executants not required	„ s.88
Enforcement of appearance of executants and witnesses	„ ss.36to39.
Power of registering officer to administer oath and record substance of statements	„ s.63
Register-books and fire-proof boxes to be supplied to registering officers	„ s.16.
Register-books and indexes :	
to be kept ; entries to be made in	„ ss.51to55, 61,62,64 to67,69, 71,76,89
Copies of indexes to be sent by Sub-registrar to Registrar	„ s.56.
Indexes kept under Act 16, 1908, to be sent to Cantonment Magistrate when cantonment is not a separate sub-district or dis rict under that Act	Act15,1910,s.29(2).
Inspection of, and grant of copies of entries in	Act16,1908,s.57.
Endorsement on document presented	„ ss.52,53, 59,60,62,88
Receipt to be given for document presented for registration	„ s.52.
Document to be returned on registration	„ s.61
Reports by registering officers to other registering officers when the former register documents relating to immoveable property situate within jurisdic ion of the latter	„ ss.64to67
Control of Sub-registrars by Registrars	„ s.68
Inspector General—	
to exercise superintendence over registration officers	
may make rules	„ s.69.
may remit certain fines	„ s.70.
Refusal to register :	
Grounds for (*see also above*, 3)	„ ss.71,73,76.
Records of reasons for	„ ss.71,76.
Appeal against	„ ss.72to76.
Suit for registration	„ s.77.
Destruction of unclaimed documents	„ s.85.
Special procedure for registration of—	
documents executed by certain public functonaries	„ s.88.
orders granting loans under Land Improvement Act, 1883, or Agriculturists' Loans Act, 1884	„ s.89.
certificates of sale by public officer	

5. Fees.

Power of Local Government to prescribe and alter fees	„ s.78.
Publication of fees	„ s.79.

REGISTRATION OF DOCUMENTS—*concld.*

5. Fees—*concld.*

Fees for registration to be paid on presentation of document . Act16,1908,s.80.
Power to exempt Co-operative Credit Societies from payment of fees . . . . . Act10,1904,s.25.

6. Miscellaneous.

Certain documents to be deemed to have been duly registered . . Act16,1908,s.90.
Inspection and copies of such documents . . . . . ,, s.91.
Deposit of wills . . . . . ,, ss.42to46.
Proceedings under Act 16, 1908, deemed judicial proceedings . ,, s.84(3).
Penalties . . . . . ,, ss.81,82.
Initiation of prosecutions ; jurisdiction ; recovery of fines . ,, s.83.
Bar to suits, etc., for acts done in good faith . . . . ,, s.86.
Defects not to invalidate proceedings . . . . . ,, s.87.

7. Local Laws.

Angul :
See ANGUL, 7.

Lower Burma :
Validation of former rules relating to registration in . ,, s.92.

Upper Burma :
Definitions . . . . . Reg.2,1897,s.3.
Appointment, etc., of registering officers and establishment of offices ; Registration officers to be deemed public servants . Reg.2,1897,s7.
Power of Local Government to notify documents required to be registered ; effect of not registering documents so notified . ,, ss.4,6.
Power of Local Government to notify documents which may be registered . . . . . ,, s.5.
Power of Local Government to make rules . . . . . ,, s.8.
Deposit in registration office of document written on palm leaf, etc. . . . . ,, ss.9,10.
Penalties . . . . . ,, ss.11,12.
Central Provinces ; prohibition of registration of certain documents . . . . . Act11,1898,ss.45(3),46(5), 70(5).
Chittagong Hill Tracts ; power to make rules for registration of documents in . . . . . Reg.1,1900,s.18(2)(c).

Dekkhan Agriculturists :
See DEKKHAN AGRICULTURIST, 4.

Punjab and North-West Frontier Province—
Prohibition of registration of instruments contravening or invalid under provisions of Act 13, 1900 . . . . . Act13,1900,s.17.

United Provinces :
Validation of registration of certain documents . . . . U.P.Act4,1894.

REGISTRATION OF HACKNEY-CARRIAGES. *See* HACKNEY-CARRIAGE II, 2 ; III, 2.

REGISTRATION OF INVENTIONS. *See* INVENTION.

REGISTRATION OF LAND.

1802. Mad. Reg. 26 (Registration, Madras).
1803. Mad. Reg. 2, ss. 23, 24 (Collectors, Madras).
1859. Act 11, ss. 38 to 44, 46 to 51, 60 to 62 (Sale for Arrears of Revenue).
1862. Ben. Act 3, ss. 2, 3 (Sale for Arrears of Revenue).
1872. Reg. 3, s. 3 (Santhál Parganas).
1874. Act 15, ss. 4, 6 (Laws Local Extent).
1876. Ben. Act 7 (Registration).
1876. Mad. Act 1, ss. 1, 2, 5, 6 (Permanently-settled Estates, Madras).
1879. Bom. Act 5, s. 53 (Land-revenue Bombay).
1895. Ben. Act 3, ss. 1 to 27, 33 to 36 (Tenants' Rights).
1896. Mad. Act 3 (Malabar and South-East Wynaad).
1897. Ben Act 5, s. 71 (Partition).

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.
- A.—Land Generally.
- B.—Taluqdari and other similar tenures created since time of settlement and farms for terms of years, held immediately of proprietors of estates, and certain leases.
- C.—Tenants' Rights.
- D.—Revenue-free Grants.
- E.—Bhuinhari and Majhahas Tenures in Chota Nagpur.

II.—BOMBAY PRESIDENCY

III.—MADRAS PRESIDENCY
- A.—Generally.
- B.—Malabar District, and South-East Wynaad in Nilgiri District.

ASSAM.

See LANDLORD AND TENANT, II, A, 1 (*c*).

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

A.—Lands generally.

Ben. Act 7, 1876, and 5, 1878, declared in force in the Santhál Parganas	Reg.3,1872,s.3.
Definitions	Ben.Act7,1876,s.3(am. Ben.Act2,1906, s.2 ;E.B.&A. Act1,1907,s.2).
Collector to keep— A.—General register of revenue-paying lands; B.—" " " revenue-free lands; C.—Mauzawar register of revenue-paying and revenue-free lands, and; D.—Intermediate register of changes affecting entries in above-mentioned registers	Ben. Act7,1876,s.4.
Form, language, arrangement and contents of such registers	ss.5to12, 14to19(rep.in pt.andam.Ben. Act2,1906,ss.16, 4;E.B.&A.Act 1,1907,ss., 64).
Power of Board of Revenue to make rules as to preparation of Register B, in supersession of ss. 10 to 12 of Act	" s.13(am. Ben. Act2,1906 s.3 ;E.B.&A., Act1.1907.s.3).

REGISTRATION OF LAND—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

A.—Lands generally—*contd.*

Power of Board of Revenue to issue orders as to record of matters required to be entered in Register A or Part 1 of Register D; Act to be read subject to such orders	Ben. Act 7, 1876	ss. 19A, 19B (ins. Ben. Act 2, 1906, s. 5, E.B.& A. Act 1, 1907, s. 5).
Temporary continuance of former registers	,,	s. 20.
Provisions as to introduction of new registers	,,	ss. 21, 22.
Registers how to be prepared and maintained; inquiries into changes necessitating alteration in register	,,	ss. 22 to 24, 26 to 29 (s. 23 rep. in pt. Ben. Act 2, 1906, s. 16, E.B.& A. Act 1, 1907, s. 16 s. 28 am. Ben. Act 2, 1906, s. 7, E.B.& A. Act 1, 1907, s. 7).
Information to be supplied to Collector for amendment of registers; penalties	,,	ss. 30, 31 (am. Ben. Act 2, 1906, ss. 8, 9. am. & s. 30 rep. in pt. E.B. & A. Act 1, 1907, ss. 8, 16).
Power of Civil Court to order registration of transfers	,,	s. 32.
Of what estate land held rent-free is to be deemed part for purposes of registration	,,	s. 33.
Power of Collector to include lands in estate for purposes of registration	,,	.34.
,, ,, to enter land as a separate revenue-free property	,,	s. 35.
Power of Board—		
to decide what revenue-free lands shall be included in each revenue-free property to be registered; to direct removal of lands from revenue-free register	,,	s. 36.
Power of Collector to include lands in revenue-free property for purposes of registration	,,	s. 37.
Registration of names and character and extent of interest on application:		
Proprietors and managers to apply for registration within prescribed time; power to exempt proprietors and managers of small estates	,,	ss. 38 to 43, 46.
Mortgagee may apply	,,	s. 44.
Application may be presented by agent	,,	s. 45.
Objections to registration to be invited and considered; power to take evidence; costs of inquiry	,,	ss. 48 to 54 (s. 53 am. s. 53A ins. Ben. Act 2, 1906, ss. 10, 11, E.B.& A. Act 1, 1907, ss. 10, 11).

REGISTRATION OF LAND—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

A.—Lands Generally—*contd.*

Registration of names and character and extent of interest on application :—*contd.*

Disputed possession, succession or transfer :

Power of Collector to—

summarily determine right to possession and deliver possession accordingly, or refer case to Civil Court, and . . . . . Ben Act, 7, 1876, s.55.

appoint receiver . . . . . „ s.56.

Effect of Collector's order determining right to possession and delivering possession . . . . . „ s.57

Matters to be stated in making reference to Civil Court . „ s.58.

Procedure of Civil Court on such reference . . . . „ ss.59 to 63.

Registration to be made—

on proof of applicant having been appointed manager by Collector or Court . . . . . „ s.47.

if applicant found to be in possession and if alleged succession or transfer has taken place . . . . . „ s.52.

on applicant being placed in possession by Collector . . „ s.55.

if applicant's possession undisputed or proved to satisfaction of Collector . . . . . „ s.55, prov.

on receipt of Civil Court's order determining right to possession . . . . . „ s.63.

Fees to be levied on registration of transfers . . . „ s.64 (am. Ben. Act 2, 1906, s.12, E.B.&A. Act 1, 1907, s.12).

Penalties for not applying for registration . . . . . „ ss.65 to 67.

Recorded proprietors and managers declared to be jointly and severally liable, and persons required to apply for registration declared to be liable, for discharge of obligations imposed by law on proprietors . . . . . „ s.68.

Application of Part IV (ss. 38 to 68) to persons required by Collector to apply for registration of revenue-free property . . „ s.35.

Collector to furnish extracts from registers and translations of extracts, on payment of fees . . . . . „ ss.75, 76.

Changes in registers to be notified . . . . . „ s.77 (am. Ben. Act 2, 1906, s.15, E.B. &A. Act 1, 1907. s.15).

Payments of rent, and of sums payable by Collector to proprietors to be regulated by registers . . . . . „ ss.78 to 81.

Moneys due to Collector under Act how realizable . . . „ s.82.

Power of Collector to require proprietor or manager to name estate . . . . . „ s.83 (am. Ben. Act 2, 1906, s.7, E.B.&A. Act 1, 1907, s.7).

Delegation of Collector's functions . . . . . „ s.84.

Appeals to, and revision by, superior Revenue-authorities; limitation of appeal . . . . . „ ss.85 to 87.

REGISTRATION OF LAND—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTIRCT) AND EASTERN BENGAL—*contd.*

A.—Lands Generally—*contd.*

Power of Board to make rules . . . . . Ben.Act7,1876,s.88.
Saving of right to bring suit for possession, etc., of property . „ s.89(*a*).
Proceedings under Act not conclusive as to validity of title to hold land revenue-free . . . . . „ s.89(*b*).
Act not to affect rights to immoveable property, except as specially provided . . . . . „ s.89(*c*).

B.—Taluqdari and other similar tenures created since time of settlement, and farms for terms of years, held immediately of proprietors of estates, and certain leases.

Act 11, 1859, declared in force—
throughout Bengal (except Sambalpur District) and Eastern Bengal, except as regards the Scheduled Districts . . Act15,1874,s.6.
in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
Ben.Act 3, 1862, declared in force in the Santhál Parganas . Reg.3,1872,s.3,Sch.
Common registry and special registry :
Local extent of Act 11, 1859 . . . . . Act11,1859,s.62.
"Collector" in Act 11, 1859, includes Deputy Collector . „ s.61.
Tenures, farms and leases which may be registered . . „ ss.38,43,44.
Application for registry : contents of . . . . . „ s.40.
„ „ „ time within which application must be made . . . . . Ben.Act3,1862,s.2.
„ „ „ fees payable on application . . „ s.3,Sch.[rep. pt.Ben.Act2, 1906,s.16(*4*); E.B.&A.Act1, 1907,s.16(4)].
Control over, and appeal from orders of, Revenue-authorities . Act11,1859,s.49.
Common registry :
Objections to be invited ; registration when to be effected . „ s.41.
Effect of, in case of sale for arrears of revenue . . . „ s.39.
Special registry :
Objections to be invited ; registration when to be effected . „ ss.42,44.
Registry of creation of tenure by partition . . . . Ben.Act5,1897,s.71.
Expenses of measurement, survey or local enquiry to be paid by applicant . . . . . Act11,1859,s.46.
Ben. Regs. 7, 1822, and 9, 1825, applied to estates in which measurement, survey or enquiry made under Act 11, 1859 . „ s.60.
Civil Court may not order . . . . . „ s.47.
Suit for cancelment of . . . . . „ s.48.
Revision of proceedings of Commissioner . . . . „ s.49.
Effect of, in case of sale for arrears of revenue . . . „ ss.39, 50,51.

C.—Tenants' Rights.

Local extent of Act . . . . . Ben.Act3,1895,s.1.
Definitions . . . . . „ s.2.

REGISTRATION OF LAND—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

C.—Tenants' Rights—*contd.*

Sub-registrars appointed under Indian Registration Act, to be Registrars of Mutations	Ben. Act 3, 1895,	s.3.
Registers to be kept by Registrar of Mutations	,,	s.4.
Landlords to file with Registrar statements of changes occurring in tenant's rights by transfer or succession	,,	s.5.
Notice of transfers and successions to be given to Registrar by certain classes of tenants	,,	ss.6,7,21.
Registrar, on admission of transfer, to register it; his power to examine parties	,,	s.8.
Registrar registering, or receiving notice of, transfer of tenant-right under Indian Registration Act to register the transfer under Ben. Act 3, 1895, as if notice had been received under s. 6 thereof	,,	s.22.
Registrar, if succession is not denied, to register it	,,	s.9
Appearance of agents before Registrar; powers-of-attorney	,,	ss.10,11
Application of Code of Civil Procedure to summonses and commissions issued under Act	,,	ss.10,12.
Registrar when to refuse to register transfer or succession	,,	s.14.
Procedure of Registrar when transferor or deceased person through whom succession is claimed is not entered in record-of-rights as being in possession	,,	s.15.
Registrar to record reasons when he does not register transfer or succession on notice	,,	s.13.
Appeal against refusal to register transfer or succession	,,	s.16.
,, in other cases	,,	s.34.
,, power to invest officers with appellate powers	,,	s.35.
Registrar to give receipt for notice and copy of entries in register; register to be open to inspection	,,	ss.17,18.
Fixing and publication of fees payable under Act	,,	s.19(*1*),(*2*).
Fees for registration when payable	,,	s.19(*3*).
Disabilities resulting from failure to give notice under s. 6	,,	s.23.
Penalties for omission to give notice under s. 6 or s. 5.	,,	ss.24,25.
,, ,, omitting to make entry, or making incorrect entry, in register, or for false statement or personation	,,	ss.26,27.
Registrar of Mutations deemed "public servant" and his records public records	,,	s.33.
Power to make rules	,,	s.36.
Registration under Bengal Tenancy Act (8, 1885) of transfers of interest of certain tenants. *See* LANDLORD AND TENANT, III, A, 2; IV A, 2.		
Payment to Registrar of landlord's fee payable under Bengal Tenancy Act, 1885, ss. 15, 18	,,	s.20.

D.—Revenue-free Grants.

See LAND-REVENUE, III, 3 (*c*); V, A, 3 (*c*).

E.—Bhuinhari and Majhahas Tenures in Chota Nagpur.

See LANDLORD AND TENANT, III, B.

REGISTRATION OF LAND—*contd.*

II.—BOMBAY PRESIDENCY.

Registration of revenue-free lands; grant of extract from register when sanad lost . . . . . Bom. Act 5, 1879, s. 53.

See also ADEN, 3.

III.—MADRAS PRESIDENCY.

A.—Generally.

Mad. Reg. 26, 1802, ss. 2, 3, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . . Act 15, 1874, s. 4.

Collectors to register revenue-paying lands and transfers of land; unregistered transfers invalid . . . . . Mad. Reg. 26, 1802, ss. 2, 3.

Collectors to keep registers of—

partitions of estates and transfers of land . . . . . Mad. Reg. 2, 1803, s. 23.

alienated lands paying revenue to Government or exempt from payment of public revenue . . . . . ,, s. 24.

Registration of alienated portion of permanently-settled estate . Mad. Act 1, 1876, ss. 1, 2, 5, 6.

B.—Malabar District, and South-East Wynaad in Nilgiri District.

Act applies to estates subject to separate assessment of land-revenue payable direct to Government . . . . . Mad. Act 3, 1896, s. 2.

Proprietor of estate may apply, within time fixed by Collector, for registration as proprietor or joint proprietor of estate . . ,, ss. 3 to 5.

Collector to ascertain and register proprietors of estates, and may survey and demarcate estates; procedure in enquiries . . ,, ss. 6, 8.

In whose name estate belonging to joint proprietors being members of joint family, or estate belonging to religious or charitable foundation, is to be registered. . . . . ,, s. 7.

Notice of registration; disposal of objections to registration . . ,, s. 9.

Revision of registration by Collector or Civil Court . . ,, s. 10.

Copies of records made under Mad. Reg. 26, 1802, or Mad. Act 3, 1896, to be furnished to applicants on payment of fees . . ,, s. 11.

Saving of Mad. Reg. 26, 1802 . . . . . ,, s. 12.

Person registered as proprietor to be deemed landholder for purposes of Mad. Act 2, 1864 (Recovery of revenue) . . . ,, s. 13.

Joint registration of proprietor and occupant, when permissible . ,, s. 14.

Bar to jurisdiction of Civil Courts . . . . . ,, s. 16.

Recovery of costs . . . . . ,, s. 17.

Bar to appellate powers of Board of Revenue . . . . . ,, s. 18.

Saving of suits for possession, etc. . . . . ,, s. 19(*a*).

Act not to affect rights or titles . . . . . ,, s. 19(*b*),(*c*).

Power of Board of Revenue to make rules . . . . . ,, s. 20.

,, Local Government to suspend operation of Act . . ,, s. 21.

REGISTRATION OF PALANQUINS, BENGAL. *See* PALANQUINS, I, 2.

REGISTRATION OF SHIPS.

Generally. *See* MERCHANT SHIPPING, 1 (*c*), 4, 5.

On river Indus. *See* INDUS.

On Madras canals. *See* CANAL, VI.

REGISTRATION OF SOCIETIES. *See* SOCIETY, 1

REGULAR AND ELDERS' WIDOWS' FUNDS ACT, 1897. (*See* FINANCE; REGULAR AND ELDERS' WIDOWS FUND) . . . 60V.c.11.

REGULAR AND ELDERS' WIDOWS' FUNDS.

Transfer of funds to Secretary of State in Council . . . 60V.c.11,ss.1to4.

Cessation of annual contributions of Secretary of State to Regular Widows' Fund . . . . . ,, s.5.

Liabilities in respect of funds how met and provided for . . ,, ss.6,7,9.

Surplus to form part of revenues of India . . . . ,, s.8.

Power of Secretary of State to grant letter of attorney and to give directions as to notifications, etc. . . . . ,, ss.10,11.

REGULATION OF THE FORCES ACT, 1881. (*See* ARMY: INDIAN MILITARY AND NAVAL FORCES) . . . . 44-5V.c.57.

REGULATION.

Defined. *See* WORDS AND PHRASES.

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RELATIONSHIP; definition of words expressing. *See* WORDS AND PHRASES.

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,, RECOVERY ACT, 1853-[1] . Act22,1886.

,, REGULATION (SANTHAL PARGANAS), 1886 Act6,1853. Reg.2,1886.

RENT; definitions of. *See* WORDS AND PHRASES.

RENT CHARGE.

On part of land charged, not an extinguishment . . . Act28,1866,s.23.

REPEALING ACT (BHUTAN DVARS), 1895 . . . Ben.Act7,1895.

,, AND AMENDING ACT, 1903 (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES I; ENDOWMENT, GAMING) . Act1,1903.

,, ,, ,, (RATES AND CESSES) ACT, 1907 . . Act4,1907.

,, ,, ,, ,, 1895 . . . . Act16,1895.

,, ,, ,, ,, 1897 . . . . Act5,1897.

,, ,, ,, (ARMY) ACT, 1894 . . Act13,1894.

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,, AND AMENDING REGULATION (AJMERE), 1893 . . . . . Reg.9,1893.

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Effect of. *See* ACTS OF PARLIAMENT, 1; ACTS AND REGULATIONS OF INDIAN LEGISLATURES, I.

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RESERVE FORCES AND MILITIA ACT, 1898. (*See* ARMY RESERVE) 61,2V.c.9

[1] This short title was given by Act 5, 1897, s. 4.

RESERVE FORCES ACT (INDIAN), 1888. (*See* INDIAN RESERVE FORCES) . . . . . Act 4, 1888.

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REVENUE.

Definitions of. *See* WORDS AND PHRASES.

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REVENUE AGENT. *See* LEGAL PRACTITIONER, 1, 2.

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In Bombay City. *See* LAND-REVENUE, VIII, 5.

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REVENUE JURISDICTION ACT (BOMBAY), 1876. (*See* LAND-REVENUE, VI). Act 10, 1876.
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REVENUE-OFFICERS.

Defined. *See* WORDS AND PHRASES.

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REVENUE RECOVERY ACT, 1890. *See* LAND-REVENUE, I . Act 1, 1890.

REVENUE REGULATION (COORG), 1899. (*See* LAND-REVENUE, XII) . . . . . Reg. 1, 1899.

RIOTING. *See* CRIMINAL LAW (INDIAN), 6; POLICE I.

RIVERS CONSERVANCY ACT (MADRAS), 1884 . . . Mad. Act 6, 1884.

RIVER.

Power to declare that Mad. Act 6, 1884, should be applied to river . . . . . Mad. Act 6, 1884, s. 2.

,, direct survey of river, for determining limits to which Act is to be applied; powers and duties of surveyors . . . . . ,, ss. 3 to 5.

,, apply Act to river, after considering objections advanced; placing of boundary-stones, etc. . . ,, s. 7.

S. 22 of Act applies to all rivers, whether Act specially applied to them or not . . . . . ,, s. 22.

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Power of Conservator to act in default of person failing to comply with requisition under Act; recovery of expenses . „ s.21.

„ Local Government to make rules for prevention of injury to works constructed on river or to conservancy of river . . . . . „ s.21.

Conservators, surveyors and certain subordinates deemed "public servants" . . . . . „ s.23.

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Suits against Conservator, etc.: notice of; limitation of; tender of amends . . . . . „ s.25.

Mad. Act 6, 1884, not to affect Easements Act, 1882 . . . „ s.26.

Beds of rivers, streams, etc., when deemed to be property of Government . . . . . Mad.Act3,1905,s.2.

Power to declare bed of *chos* in Punjab vested in Government.

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Kuladan; control over carriage of spirit, drugs, arms and ammunition on . . . . . (Ara.)Reg.9,1874,ss.15, 16,17.

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See also STREET.

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ROYAL INDIAN MARINE. (*See also* INDIAN MILITARY AND NAVAL FORCES, I.)

1. Preliminary.

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[1] Act 15, 1869, is repealed by Act 3, 1900.

ROYAL INDIAN MARINE—*contd.*

3. Jurisdiction, Powers, Courts and Procedure—*contd.*

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[1]This short title was given by 59 & 60 Vict. c. 14.

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1. Officers.
2. Duties, Licenses and Fees.
3. Management.
4. Offences, Penalties and Legal Proceedings.

III.—BENGAL (PARTS TO WHICH ACT 12, 1889 DOES NOT APPLY) AND EASTERN BENGAL.
1. Duties, Licenses and Fees.
2. Management.
3. Offences, Penalties and Legal Proceedings.
4. Miscellaneous.

IV.—BOMBAY PRESIDENCY
1. Officers.
2. Duties, Charges, Licenses and Permits.
3. Management.
4. Offences, Penalties and Legal Proceedings.

SALT—*contd.*

V.—MADRAS PRESIDENCY. . . { 1. Officers. 2. Duties, Charges, Licenses, Permits and Fees. 3. Management. 4. Offences, Penalties and Legal Proceedings.

VI.—BOMBAY COAST AND MADRAS WESTERN COAST.

VII.—BURMA . . . . . .

I.—GENERALLY.

Definition of "salt," "salt-earth," etc. *See* WORDS AND PHRASES.

Act 12, 1882; local extent of . . . . . Act12,1882,s.1.

" " declared in force in—

British Baluchistan . . . . . Reg.1,1890,s.3.

Santhál Parganas . . . . . Reg.3,1872,s.2,Sch.

Upper Burma, except Shan States . . . Act13,1898,s.4,Sch.1.

Power to impose, reduce, and remit duty on salt manufactured in, or imported by land into, British India . . . . Act12,1882,s.7.

Duty on imports by sea, or imports by land from foreign territory to be levied at rate so imposed . . . . . Act8,1894,ss.3,5,Sch.3.

Duty leviable on salt imported coastwise . . . . Act8,1878,s.20(*b*). Act8,1894,ss.2(*4*),7.

Power to take security for payment of duty and allow salt to be manufactured, imported or exported before payment . . Act10,1908.

Drawback not allowed in re-exportation of salt . . . Act8,1878,s.50(*d*).

Power to fix minimum price at which salt excavated, manufactured or sold by or on behalf of Government shall be sold . Act12,1882,ss.7,8.

II.—AJMERE, PARTS OF BENGAL, BRITISH BALUCHISTAN, BRITISH TERRITORY IN CENTRAL INDIA, CENTRAL PROVINCES, UNITED PROVINCES, PUNJAB AND N.-W. FRONTIER.

1. Officers.

Commissioner of Northern India Salt-revenue; appointment, suspension and removal of . . . . . Act12,1882,s.5.

Commissioner of Division; powers and duties of, by whom to be exercised where no Commissioner . . . . . " s.4.

Power to invest persons with powers of Assistant Commissioner or Salt-revenue-officer . . . . . " s.30.

2. Duties, Licenses and Fees.

Duty on salt. *See above*, I.

" " collection of . . . . . " s.6(*c*).

Licenses for manufacture or refining of salt or saltpetre; power to fix fees . . . . . " ss.6(*b*),28 (*c*).

Fees for license and other documents . . . . . " s.28(*c*).

3. Management.

Power to prohibit or regulate manufacture of salt or manufacture or refining of saltpetre . . . . . " s.6(*a*).

" regulate possession, storage and sale of salt . . " s.6(*d*),(*e*).

SALT—*contd.*

II.—AJMERE, PARTS OF BENGAL, BRITISH BALUCHISTAN, BRITISH TERRITORY IN CENTRAL INDIA, CENTRAL PROVINCES, UNITED PROVINCES, PUNJAB AND N.-W. FRONTIER—*contd.*

3. Management—*contd.*

Indus preventive line—		
power to define and extend zones and establish chains of posts; acquisition of land under Land Acquisition Act; power to regulate possession of Kohat salt within zone; powers for preventing smuggling of Kohat salt	Act 12, 1882,	ss.8A, 8B.
Power to prohibit or regulate importation or transit of salt	,,	s.27.
,, make rules for execution of Act and for regulation of appeals	,,	s.28.
Publication of rules	,,	s.29.
Police-officers and Land-revenue-officers to assist Salt-revenue-officers	,,	s.25.

4. Offences, Penalties and Legal Proceedings.

Penalty for contravention of Act or rules or evasion of duty or charge; attempts; abetments	,,	s.9.
,, on second or subsequent conviction	,,	s.10.
Offences to be tried only on official complaint; limitation; jurisdiction	,,	s.11.
Confiscation of salt, saltpetre, works, materials, implements, vessels, packages, coverings, animals and conveyances	,,	ss.9, 12.
Power to levy additional duty as penalty, instead of complaining to Magistrate; detention of article subject to such duty, and procedure thereupon	,,	ss.13, 22.
Landholders and agents punishable for connivance at offence	,,	s.14.
Powers of entry, stoppage, search, seizure and arrest	,,	ss.15 to 18.
Punishment of police-officer neglecting to attend at search	,,	s.19.
Reports of arrests, seizures and entries; disposal of persons arrested	,,	ss.20, 21, 23.
Penalty for vexatious search, detention, arrest, seizure, etc., or for giving false information to cause search	,,	s.25.
Power to regulate seizure, disposal and destruction of things liable to seizure	,,	s.26.

III.—BENGAL (PARTS TO WHICH ACT 12, 1882, DOES NOT APPLY) AND EASTERN BENGAL.

1. Duties, Licenses and Fees.

Duty, on salt. *See above*, I.		
,, ,, collection of	Ben. Act 7, 1864,	ss.11, 14.
License; grant of	,,	s.7.
,, manufacture prohibited except under license; penalty; confiscation of materials and implements	,,	ss.4 to 6.
Fees for rawanas for possession or transport	,,	s.13.

2. Management.

Warehouses to be provided and salt deposited therein	,,	s.10.
Regulation of manufacture and deposit; penalties	,,	s.11.
,, of possession, transport and sale; seizure; confiscation; penalties	,,	ss.11 to 22.
Possession by servant or agent	,,	s.3.

SALT—*contd.*

III.—BENGAL (PARTS TO WHICH ACT 12, 1882, DOES NOT APPLY) AND EASTERN BENGAL—*contd.*

3. Offences, Penalties and Legal Proceedings.

Proprietors, tenants and cultivators and their agents, and servants of Government or Court of Wards, to give notice of unlicensed salt work; penalty for failure	Ben.Act7,1 64,s.8.
Power of police-officers to enter, inspect, arrest, and weigh; disposal of persons arrested; bail	,, ss.23to26,28.
Search-warrant	,, s.27.
Adjudication of confiscations; appeals	,, ss.29to32.
Penalty for vexatious seizure or arrest	,, s.33.
Penalties. *See also above*, 2.	
Abetment	,, s.3.
Punishment on second or subsequent conviction	,, s.34.
Bar of writ of certiorari; judgment may be quashed for error of law only	,, s.38.
Board of Revenue may direct restoration of thing seized, remission of penalty and discharge of offender	,, s.39.
Disposal of fines; rewards to police and informers; compensation	,, s.40.
Limitation of prosecutions	,, s.37,
,, and notice of civil proceedings	,, s.41.
Magistrates who may exercise powers and jurisdiction	Ben.Act1,1873,ss.1,2.

4. Miscellaneous.

Ben.Act 7, 1864, declared in force in the Santhál Parganas	Reg.3,1872,s.3.

IV.—BOMBAY PRESIDENCY.

1. Officers.

Appointment, designations and departmental punishment of, and withdrawal of their powers	Bom.Act2,1890,ss.4,6,7
Collector charged with collection of salt-revenue, under control of Commissioner	,, s.5(*1*).
Office of Commissioner of Salt-revenue may be kept in abeyance; increased powers of Collector thereupon	,, s.5(*2*)
Application of Bombay Land-revenue Code, 1879, Chapter III	,, s.8.
Investment of officers of any Department with certain powers under Salt Act	,, s.10.

2. Duties, Charges, Licenses and Permits.

Duty on salt. *See above*, I.	
,, ,, collection of	,, ss.29to31(*1*).
Charges payable on removal of salt	
License required for manufacture, excavation, collection or removal; grant of license; contents and form of license; alteration of license; register of licenses	,, ss.11,12,13.
,, power to permit excavation, collection or removal of salt-earth without license, and to regulate such excavation, etc.	,, s.14.
,, to be granted to recognised proprietor of private salt work	,, ss.16,17.

SALT—*contd.*

IV.—BOMBAY PRESIDENCY—*contd.*

2. Duties, Charges, Licenses and Permits—*contd.*

License suspension or withdrawal of	Bom. Act 2, 1890,	s.24.
" required for storing or possessing salt for purposes of sale; grant of	"	ss.36,37.
Permit required for removal of salt from salt-work or from Government warehouse or store, except on Government account; permit when to be granted; form and contents of permit	"	ss.28,29,31 (2).
" restriction as to tonnage of ship carrying salt is not applicable to salt covered by	Act 16, 1879,	s.3.
" may be granted to possess salt for private consumption or for transport	Bom. Act 2, 1890,	s.38.

3. Management.

Village-officers to report unlicensed manufacture, excavation, collection or removal of salt or salt-earth, and new formations of natural salt	"	s.15.
Private salt-works; control over	"	ss.18to23.
" " suppression of, on commission of offence; imposition and recovery of fine; acquisition of, under Land Acquisition Act	"	ss.24,25.
" " destruction of, and removal of salt from, suppressed or unlicensed salt-work	"	ss.26,27.
Removal of salt from salt-work or from Government warehouse or store; duties of permit-holder and of person superintending removal	"	ss.28,35.
Storing or possessing salt for purposes of sale	" Bom. Act 1, 1910,	ss.36(am. ss.2,3),37.
Transport and possession of salt	"	s.38.
Rules; general power to make; penalties for breach of; publication of	"	ss.58to60.

4. Offences, Penalties and Legal Proceedings.

Powers of entry, inspection, seizure, detention, search and arrest	"	s.39.
Searches and arrests to be made in accordance with Code of Criminal Procedure	"	s.40.
Customs, Excise, Forest, Opium, Police, Revenue and Village-officers to report and prevent offences, and to assist Salt-revenue-officers	"	s.41.
Search-warrants	"	s.42.
Unpacking, etc., of goods, etc., for purposes of search or examination	"	s.43.
Disposal of persons arrested; enquiry by police-officer or Salt-revenue-officer; bail	"	ss.44to46.
Penalty for illicit manufacture, removal, transport, excavation or collection of salt, etc., or retention of contraband salt	"	s.47.
" for offences by officers	"	s.48.
" for using, etc., incorrect application or certificate	"	s.49.
Confiscation: things liable to; adjudication of; fine in lieu of	"	ss.50,52.

SALT—*contd.*

IV.—BOMBAY PRESIDENCY—*contd.*

4. Offences, Penalties and Legal Proceedings—*contd.*

Disposal of things seized	Bom.Act2,1890,s.52.
Offences by whom triable	„ s.51.
Powers of Salt-revenue-officer holding judicial enquiry; form, contents and service of summons	„ ss.53,54.
Notices; service and validity of	„ s.55.
Recovery of costs	„ s.56.
Appeals: to whom to lie; limitation; application of Revenue Department rules	„ s.57.
Bar of penalty or damages for act done in good faith; limitation of prosecution or suit; notice of suit; tender of amends	„ s.61.

V.—MADRAS PRESIDENCY.

1. Officers.

Power to appoint officer to control the Salt Department, in connection with or independently of Board of Revenue, and to withdraw Board's or Collector's powers in respect of salt-revenue	Mad.Act4,1889,s.4.
Appointment, designation, and departmental punishment of other officers	„ ss.5,6.
Delegation of powers of Commissioner	„ s.7.
Powers and duties may be conferred and imposed on, by name or by office	„ s.81.

2. Duties, Charges, Licenses, Permits and Fees.

Duty on salt. *See above*, 1.	
„ „ to be collected by Collector	Mad.Reg.2,1803,ss.2,32.
„ „ collection of duty	Mad.Act4,1889,ss.41,43, 85.
Charges payable on removal of salt	„ ss.43,85.
License required for manufacture of salt; grant of license; contents of license; alteration of license; license transferable and may be relinquished; licensee deemed owner of salt-works; registry of licenses	„ ss.8to12,17, 85.
„ „ for manufacture or refining of saltpetre; grant of license; fees for license; term and contents of license	„ ss.35to39,85.
„ cancellation or suspension of	„ ss.9,13,15,25 27,42,73
Permit required for removal of salt	„ ss.43,85.
„ restriction as to tonnage of ship carrying salt is not applicable to salt covered by	„ Act16,1879,s.3.

3. Management.

Manufacture of salt:	
Establishment and closing of salt factories	Mad.Act4,1889,s.13
Substitution of one system of salt manufacture for another	„ ss.14,15.

SALT—*contd.*

V.—MADRAS PRESIDENCY—*contd.*

3. Management—*contd.*

Manufacture of salt:—*contd.*

Compensation for closing salt factory or cancelling license . Mad. Act 4, 1889, ss. 13, 16, 18, 34.

Powers and duties of Commissioner with reference to salt-works, licenses for which are relinquished or cancelled . . . ,, ss. 16, 17.

Destruction of salt manufactured contrary to conditions of license . . . . . ,, s. 19.

Erection of guard-sheds in salt factory . . . . . ,, s. 20.

Power to make rules as to . . . . . ,, s. 85.

Manufacture of salt for general sale:

Cancellation of license on failure to manufacture . . . . ,, s. 27.

Removal of salt from closed factory . . . . . ,, s. 28.

Protection of salt; construction and repair of works; storing or destruction of refuse salt . . . . . ,, ss. 29 to 32.

Price for which salt sold to be stated in application for permit to remove the salt . . . . . ,, s. 33.

Manufacture of salt for sale to the Government:

Quantity to be manufactured by each licensee; payment . ,, s. 22.

Duties of licensee, and enforcement thereof . . . . . ,, ss. 23 to 25.

Manufacture and refining of saltpetre:

Fencing of premises; storing and protection of materials . ,, s. 42.

Destruction of materials on cancellation or suspension of license ,, s. 40.

Removal of salt on payment of duty; sale or destruction of salt on failure to remove it . . . . . ,, s. 41.

Power to make rules as to . . . . . ,, s. 85.

Removal of salt on payment of duty and charges; duties of permit-holder and of person superintending removal; preventive stations . . . . . ,, ss. 43 to 45, 85.

Rules; general power to make and alter; publication of . . ,, ss. 81, 85.

4. Offences, Penalties and Legal Proceedings.

Search-warrants . . . . . ,, s. 46.

Powers of entry, search, seizure, destruction and arrest exercisable by Customs, Excise, Land-revenue, Police and Salt-officers; report to official superior . . ,, ss. 47, 49, 50, 52.

,, search and seizure exercisable by head of village; report to Magistrate . . . . . ,, ss. 48, 51.

Bail when to be taken from person arrested; bail-bond . . ,, ss. 47, 54 to 58.

Searches to be made in accordance with Code of Criminal Procedure . . . . . ,, s. 51.

Persons arrested how to be dealt with . . . . . ,, ss. 53 to 55.

Powers of Salt Inspector or Salt-revenue-officer holding judicial enquiry; form and contents of summons . . . . . ,, ss. 58 to 63.

Forwarding person accused and things seized to Magistrate . ,, ss. 64, 65.

Period of detention of accused person . . . . . ,, s. 66.

Custody by police of things seized; sealing and sampling . . ,, s. 67.

Customs, Excise, Land-revenue, Police, Salt and Village-officers to assist each other . . . . . ,, s. 68.

SALT—*concld.*

V.—MADRAS PRESIDENCY—*concld.*

4: Offences, Penalties, and Legal Proceedings—*concld.*

Customs, Excise, Land-revenue, Police and Salt-officers to report and prevent offences	Mad.Act4,1889,	s.69.
Landholders, tenants and cultivators to report manufacture of contraband salt	,,	s.70.
Confiscation: things liable to; adjudication of; fine in lieu of	,,	ss.71,79.
Disposal of things seized or confiscated	,,	ss.72,85.
Penalty for illicit removal, excavation, collection, possession, manufacture, purchase or sale of salt, etc., or refining of saltpetre; attempts and abetments	,,	ss.74,75.
,, ,, act in contravention of permit	,,	s.75.
Penalties for offences by officers	,,	ss.76to78.
Penalty on Salt-officer resigning without notice	,,	s.78.
Compensation to witnesses, etc.	,,	s.85.
Service of summons or notice, or tender of license, how made	,,	s.82.
Presumption as to possession of contraband salt	,,	s.83.
Recovery of sums due to Government	,,	s.84.
Appeals from orders to whom to lie	,,	s.86.
Bar of suit for act done in good faith; limitation of suit or prosecution	,,	s.87.

VI.—BOMBAY COAST AND MADRAS WESTERN COAST.

Penalty for carrying salt in ship of less than 300 tons burden, except in certain cases	Act16,1879,	ss.2,3.
Power to stop, enter, search and seize such ship, and make arrest; penalty for resisting search, etc.; confiscation of ship and cargo; jurisdiction; power to exempt salt from operation of Act	,,	ss.3to8.

VII.—BURMA.

Duty. *See above*, I.		
Duty; composition for	(L.B.)Act2,1876,ss.39(*c*), 43to53,58(*a*). (U.B.)Reg.3,1889,s.33(*b*).	
Manufacture and storing of; penalty; confiscation	(L.B.)Act2,1876,s.39. (U.B.)Reg.3,1889,s.33.	
Revenue payable on account of salt:		
Recovery of	(U.B.)Reg.3,1889,ss.37to 46.	
Bar to jurisdiction of Civil Courts in matters relating to	,,	s.53.
SALTED FISH.		
Duty on imports of, by sea, or imports by land from foreign territory	Act8,1894,ss.3,5,Sch.3.	
,, ,, ,, coastwise	Act8,1878,s.20(*b*)[qu.rep. byAct8,1894, s.2(*d*)].	
Drawback not allowed on re-exportation of	,,	s.50(*d*).

SALVAGE. *See* MERCHANT SHIPPING, 8 (*c*); NAVY, 4 (*b*).

SAMBALPUR CIVIL COURTS ACT, 1906. (*See* CIVIL COURTS III; SAMBALPUR DISTRICT) . . . . . Ben. Act 4, 1906.

SAMBALPUR (DELEGATION) ACT, 1908. (*Se* SAMBALPUR DISTRICT) . . . . . Ben. Act 4, 1909.

SAMBALPUR (EVIDENCE) ACT, 1909. (*Se* SAMBALPUR DISTRICT) . . . . . Ben. Act 2, 1908.

SAMBALPUR DISTRICT.

1. Transfer of, to Bengal.

Transfer effected by Proclamation . . . . . Act 7, 1905, preamble, Sch. C.

Pending proceedings not affected by transfer . . . . . ,, s. 6.

Transfer not to change territorial application of enactments . ,, s. 2.

Construction of certain references in enactments, notifications, orders, schemes, rules, forms and bye-laws . . . . . ,, s. 3, Schs. C, D.

Powers to Courts and Local Government for facilitating application of enactments, notifications, orders, schemes, rules, forms and bye-laws . . . . . ,, s. 5, Sch. C.

2. Laws.

Certain Bengal Regulations declared in force, to the exclusion of all others . . . . . Act 20, 1875, ss. 2(*a*), 3, Sch., Pt. A (pt. rep. Act 7, 1905).

Certain Acts of the Governor General in Council repealed, and others declared in force . . . . . ,, ss. 2(*b*), 3, 4, Sch., Pt. B.

Certain other enactments, and certain rules, repealed . . ,, s. 2(*c*).

Law to be administered . . . . . ,, ss. 5, 6.

3. Civil Justice.

Instruments of husbandry or trade, and agricultural cattle exempted from attachment and sale in execution of decree. ,, s. 7.

Certain sections of the Code of Civil Procedure as to recording of evidence, revived . . . . . Ben. Act 2, 1908.

Act 12, 1887 (Civil Courts) extended to Sambalpur District . Ben. Act 4, 1906.

4 Miscellaneous.

Power to make rules as to—

conservancy and watch and ward at fairs and assemblies, and taxation to meet expenses thereof . . . . . custody of judicial records, and . . . . . appointment, etc., of ministerial officers . . . . . Act 20, 1875, s. 8.

Rules under Act 20, 1875; sanctioning of . . . . . ,, s. 10.

,, ,, ,, ,, penalty for breach of . . . . ,, s. 9.

For further provisions enacted specially for the Sambalpur District, see the appropriate heads.

SANITARY DRAINAGE ACT (BENGAL), 1895. (*See* DRAINAGE) . . . . . Ben. Act 8, 1895.

SANITATION OF VILLAGES.

Ajmere. *See* VILLAGE, A, 2.

Bombay. ,, ,, B, 2.

Central Provinces. ,, ,, E, 2.

United Provinces. ,, ,, G, 2.

SANTHÁL PARGANAS ACT {1855, 1857} (*See* DEREGULATIONISED TRACTS; SANTHÁL PARGANAS) . . . . . Act37,1855. Act10,1857.

SANTHÁL PARGANAS JUSTICE REGULATION, 1893. (*See* CRIMINAL PROCEDURE; SANTHÁL PARGANAS) . . . . Reg.5,1893.

SANTHÁL PARGANAS JUSTICE AND LAWS REGULATION, 1899 . . . . . Reg. 3,1899.

SANTHÁL PARGANAS RENT REGULATION, 1886. (*See* LANDLORD AND TENANT III) . . . . . Reg.2,1886.

SANTHÁL PARGANAS RURAL POLICE REGULATION, 1910. (*See* POLICE III) . . . . . Reg.4,1910.

SANTHÁL PARGANAS SETTLEMENT REGULATION. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES, I; ADMINISTRATION OF ESTATES (INDIAN LAW); ADMINISTRATOR GENERAL; AGENCY; ALLUVION AND DILUVION; ANIMAL A,B; ARMS, AMMUNITION AND MILITARY STORES; BANK; CARRIER; CASTE; CONTRACT; COPYRIGHT; COURT-OF-WARDS B; COURT-FEES; CRIMINAL LAW (IND.); CRIMINAL PROCEDURE (IND.); CRUELTY TO ANIMALS; DEREGULATIONISED TRACTS; DESERTION; EVIDENCE II; EXCISE; EXPLOSIVE; FOREIGNER; GAME; GOVERNMENT BUILDINGS; GOVERNMENT OF INDIA; GUARDIAN AND WARD; HINDU WIDOW; INCOME-TAX; INDIAN MILITARY AND NAVAL FORCES; INFECTIOUS DISEASE; INTEREST; LAND (IND. LAW); LANDHOLDER; LANDLORD AND TENANT III; LAND-REVENUE *A*, III; LEPER; LOAN B; LUNATIC; MARCHING TROOPS; MARRIAGE II; MARRIED WOMAN; MATRIMONIAL CAUSES; MORTGAGE; MUNICIPALITY VI; OATH AND AFFIRMATION; OPIUM; PARTITION AND UNION, ETC.; PARTNERSHIP; PATWARIS AND KANUNGOS; PENSIONS AND GOVERNMENT GRANTS; PERMANENT SETTLEMENT; PETROLEUM; PILGRIM; POLICE I; POST OFFICE (IND. LAW); POWER OF ATTORNEY; PRINTING PRESSES AND PUBLICATIONS; PUBLIC OFFICER; PUBLIC WORKS; RAILWAY; RATE AND CHARGES; RECORDS; REGISTRATION OF BIRTHS, ETC.; REGISTRATION OF LAND; SALT; SANTHÁL PARGANAS; SLAVERY; STAMPS; STATE PRISONER; STATE OFFENCES; STEAM BOILERS AND PRIME MOVERS; SUCCESSION; TELEGRAPH; TOLLS; TORT; TRAVELLER; TREASURE TROVE; VACCINATION; VAGRANT; VOLUNTEER; YOUTHFUL OFFENDER) . . . . . Reg.3,1872.

SANTHÁL PARGANAS SETTLEMENT REGULATION, 1904 . Reg.2,1904.

" " " (AMENDMENT) REGULATION, 1908 . . . . . Reg.3,1908.

SANTHÁL PARGANAS.

List of . . . . . Act37,1855,s.1(*1*),Sch.

Are a Scheduled District . . . . . Act14,1874,s.1,Sch.I,Pt. III. Act15,1874,s.2,Sch.VI, Pt.III.

Removed from operation of Bengal Regulations and Acts passed by Governor General in Council; no future law passed by Governor General in Council to extend to Santhál Parganas unless they are specially named; savings . . . . Act37,1855,s.1(*1*).

What enactments to be in force in; bar to operation of others . Power to withdraw enactments from, and bring enactments into force in . . . . . Reg.3,1872,s.3,Sch.

Power of Local Government to issue directions to officers . . Act37,1855,s.1(2).

Such directions to be consistent with enactments in force in . Reg.5,1893,s.27.

SANTHÁL PARGANAS—*contd.*

Administration of civil and criminal justice and collection of revenue by such officers; savings . . . . . Act37,1855,ss.2,3. Reg.3,1872,ss.5,5A(sub. Reg.3,1908,s.2).

Criminal Justice:

Modification in Act 5,1898 (Code of Criminal Procedure). . Reg.5,1893,s.4.

Civil Justice:

Courts established under Act 12, 1887:

Grades of Courts; Judges . . . . . ,, ss.7,8.

Jurisdiction; procedure; appeal . . . . . ,, ss.9,10.

Certain sections of Act 12, 1887, not to apply . . . . ,, s.11.

Bar to jurisdiction of Civil Courts in certain cases; certain decisions of Settlement Courts to have force of decree . Reg.3,1872,ss.5(sub.Reg. 3,1908,s.2),11(am.Reg. 3,1908,s.4).

Courts of Officers appointed under Act 37, 1855:

Grades of Courts . . . . . Reg.5,1893,s.12.

Number and jurisdiction of Courts . . . . . ,, ss.13,14.

What Courts to exercise powers of High Court and District Court . . . . . ,, s.15.

Control over Courts . . . . . ,, s.16.

Appeal and revision . . . . . ,, ss.17to 19,22.

Distribution of business and transfer of cases . . . ,, ss.20,21.

Irregularities when not to affect proceedings . . . ,, s.23.

Place for execution of sentence of imprisonment . . . Act37,1855,s.3.

Provisions as to rate of interest . . . . . Reg.3,1872,s.6.

Certain agreements exempted from stamp-duty . . . ,, s.7.

Court-fees Act, 7 of 1870, not to apply in certain cases . . ,, s.8(rep. pt.Reg.3. 1908,s.3).

Acts 37,1855, and 10, 1857, declared in force in. . . . ,, s.3.

,, ,, ,, ,, repealed when Act 14, 1874 (Scheduled Districts), is declared in force in . . . . . Act14,1874,ss.2,3,Sch.II.

Penalty for failure to repair dykes, drains, tanks, etc., or report unauthorized transfer of land or preserve camping or grazing grounds or for encroaching thereon or for cutting down village trees, etc. . . . . Reg.3,1872,s.28(*a*),(*c*),(*d*),(*e*),(*f*),(*g*)(sub.Reg.3,1908, s.10.)

Settlement of land-revenue. *See* LAND-REVENUE, III, 3 (*a*).

See also LANDLORD AND TENANT, III, B.

SARAIS ACT, 1867 *See* INFECTIOUS DISEASE; SARAI . . Act22,1867.

SARAI.

Act 22, 1867, applies *proprio vigore* to Agra, Bengal (except Sambalpur District) and Eastern Bengal, and may be extended to other places except the Presidency-towns . . . . . Act22,1867,s.17.

,, ,, except s. 8, not to apply to sarais under direct management of Municipal Committee . . . ,, s.16.

Definitions . . . . . ,, s.2.

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SCHEDULED DISTRICTS ACT, 1874. (*See* ADEN; AJMER; ANDAMAN AND NICOBAR ISLANDS; ANGUL DISTRICT; ARAKAN HILLS; ASSAM; BOUNDARIES; CENTRAL PROVINCES; CHITTAGONG HILL TRACTS; CHOTA NAGPUR; COORG; EUROPEAN BRITISH SUBJECT; GAMING; GANJAM AND VIZAGAPATAM DISTRICTS; GODAVERI DISTRICT; JALPAIGURI AND DARJEELING DISTRICTS; LACCADIVE ISLANDS; MANPUR PARGANA; MEHWASSI CHIEFS; PUNJAB; SANTHÁL PARGANAS; SCHEDULED DISTRICTS; SINDH; SPITI; UNITED PROVINCES OF AGRA AND OUDH) . . . . . Act 14, 1874.

SCHEDULED DISTRICTS.

List of . . . . . Act 14, 1874, s. 1, Sch. I. Act 15, 1874, s. 2, Sch. VI.

Territories to which 33 Vict. c. 3, s. 1, is applied become Scheduled Districts . . . . . Act 14, 1874, s. 1.

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the Arakan Hill District (except s. 10) . . . . . Reg. 9, 1874, s. 3.

Upper Burma (except the Shan States) . . . . . Act 13, 1898, s. 4, Sch. I.

British Baluchistan . . . . . Reg. 1, 1890, s. 3.

Angul District . . . . . Reg. 1, 1894, s. 3.

Act 14, 1874, not to apply to any Scheduled District until declared in force therein by notification . . . . . Act 14, 1874, s. 1.

The declarations which are contained in the Laws Local Extent Act, 1874, as to certain enactments being in force throughout British India or throughout certain provinces, do not affect the Scheduled Districts . . . . . Act 15, 1874, ss. 3 to 7.

[1] This short title was given by Act 5, 1897, s. 4.

SCHEDULED DISTRICTS—*contd.*

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Trial in Courts in British Possession of offences committed at sea or within Admiralty jurisdiction	12-3V.c.96, ss. 1, 2, 5. 57-8V.c.60, s.686.
,, as for offence in British Possession on death there from injury inflicted at sea	12-3V.c.96, s.3.
,, as for offence at sea, on death at sea from injury inflicted in British Possession	
,, in Court of British Possession of offences committed elsewhere, under Foreign Jurisdiction Acts. *See* FOREIGN JURISDICTION.	
Extension of 12 & 13 Vict. c. 96, to India; person charged, when entitled to claim trial in Supreme Court	23-4V.c.88.
Power of legislature of British Possession to provide for trial in Possession on death at sea or out of Possession from injury inflicted in Possession	23-4V.c.122.
Extension, by Order in Council, of 12 and 13 Vict. c. 96, v 23 & 24 Vict. c. 122 to any place to which Foreign Jurisdiction Act, 1890, applies	53-4V.c.37, s.5, Sch. 1.
Punishment on trial by Indian Court, under Imperial Act, for offence at sea or out of jurisdiction, or offence within jurisdiction punishable by Imperial Act	37.8V.c.27.
Trial, etc., of offences under Merchant Shipping Act. *See* MERCHANT SHIPPING, 11 (*a*).	
,, of offences committed ashore or afloat, out of Her Majesty's dominions, by persons employed on British ships	57-8V.c.60, s.687.
,, of British subject for offence on board British ship	,, s.686.
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Conveyance of offenders to United Kingdom or British Possession, by order of naval court or consular officer	,, ss.483, 689. 6Edw.7, c.48, s.67.
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Trial of offences committed within territorial waters of Her Majesty's dominions, though committed on or by means of foreign ship; saving as to trial of pirates; definition of territorial waters, etc. . . . . 41-2V.c.73.

Payment of expenses on prosecution of offences committed ashore or afloat out of Her Majesty's dominions by persons employed on British ships . . 57-8V.c.60,s.701.

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Bed of sea, harbours, creeks, etc., when deemed to be property of Government . . . . . Mad.Act3,1905,s.2.

Arrest, etc., of fugitive offenders. *See* FUGITIVE OFFENDER.

Extradition of persons charged with offences committed at sea. *See* EXTRADITION, 1 (*c*).

Further provisions as to jurisdiction over offences and matters occurring on the sea. *See* COLONIAL COURT OF ADMIRALTY; EXTRADITION; FOREIGN ENLISTMENT; MERCHANT SHIPPING, 1 (*c*), 7 (*c*); NAVY, 4 (*b*), 5 (*b*); PIRACY; PRIZE; SALT, VI; SLAVE TRADE.

SEA CUSTOMS ACT, 1878 [*See* ARMS, AMMUNITION AND MILITARY STORES; COINAGE II; COPYRIGHT; CUSTOMS; CUSTOMS (SEA); EXCISE; MERCHANDISE MARKS; OPIUM; PORT; PORT COMMISSIONERS, ETC.; SALT; SALTED FISH] . . . . Act8,1878.

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Power of Government of India and Local Governments to use a seal, in cases where Act or Regulation prescribes use of the seal of the East India Company . . . . . Act3,1862.

Power of Local Government to direct what official seals shall be used by public officers . . . . . Bom.Act5,1883,ss.3,4. Mad.Act6,1865,s.1.

Of Civil Courts . . (Agra,As.,Ben.,E.B.)Act 12,1887,s.16. (Oudh)Act13,1879,s.13. (Bom.)Act14,1869,ss.11, 20,29. (L.B.)Act6,1900,s.37. (U.B.)Reg.1,1896,s.22. (C.P.)Act2,1904,s.27. (Mad.)Act3,1873,s.9. Act7,1892,s.17.

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" " " " recording of evidence in, rules for . . . Bom.Act12,1886,s.9E..

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Penalty for slaughtering animal or cleaning carcass in roads, etc., in certain towns . . . . . Act5,1861,s.34(*1*)..

Setting apart places for slaughter of animals and cleaning of carcass . . . . . Bom.Act4,1890,s.39(*1*)(*h*)..

SLAUGHTER OF ANIMALS—*contd.*

Penalty for slaughtering animal or cleaning carcass in or near street in certain cases . . . . . Bom. Act4,1890,s.61(*j*).

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Regulation of, in municipalities:

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SLAVERY.

Importation of slaves into colonies forbidden . . . . 5G.4,c.113. 36-7V.c.88.

Prohibition of sale of person or of right to compulsory labour . Act5,1843,s.1.

Bar to enforcement of rights arising out of alleged slavery . „ s.2.

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Penal liability for offence against alleged slave . . . . „ s.4.

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in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

in the Arakan Hill District . . . . . Reg.9,1874,s.3.

in Upper Burma generally (except the Shan States) . . Act13,1898,s.4,Sch.1.

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in Kachin Hill-tracts, as regards hill-tribes . . . . Reg.1,1895,s.3.

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SLAVE TRADE ACT, 1824[1]. (*See* SLAVERY; SLAVE TRADE) . 5G.4,c.113.

„ „ „ 1843[1]. (*See* SLAVE TRADE) . . 6,7V,c,98.

„ „ „ 1873. (*See* SLAVERY; SLAVE TRADE) . 36-7V.c.88.

„ „ „ 1876[1]. (*See* CRIMINAL LAW AND PROCEDURE (ENG.); GOVERNMENT OF INDIA; HIGH COURT; SLAVE TRADE) . . . . . 39-40V.c.46.

SLAVE TRADE (EAST AFRICA COURTS) ACT, 1873 (*See* SLAVE TRADE) 36-7V.c.59.

„ „ „ „ „ „ 1879 (*See* SLAVE TRADE) . . . . . 42-3V.c.38.

SLAVE TRADE.

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„ „ „ „ „ to treaties with Egypt . 42-3V.c.38,s.3.

[1] This short title was given by 59 & 60 Vict. c. 14.

SLAVE TRADE—*contd.*

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SMALL CAUSE COURTS ACT (PRESIDENCY), 1882 . . Act15,1882.

" " " " " 1895 . . Act1,1895.

" " " " (PROVINCIAL), 1887 . . Act9,1887.

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Registrar; judicial powers of; Registrar to include Deputy Registrar . . . . . " ss.4,9(*1*) (*aa*),14.

Distribution of business; procedure in case of difference of opinion between Judges . . . . . " ss.10,11.

What portions of Code of Civil Procedure extend to Presidency Small Cause Courts . . . . . Act5,1908,s.8,Sch.1,o.51.

Power of High Court to make rules as to procedure and practice Act15,1882,s.9.

No written statement except in cases of set-off . . . . " s.24.

Return of documents admitted in evidence . . . . " s.25.

Compensation payable by plaintiff in certain cases . . . " s.26.

Minors may sue in certain cases as if of full age . . . " s.32.

General finality of decrees and orders . . . . . " s.37.

New trial in contested cases . . . . . " s.38.

Removal of certain cases into High Court . . . . . " ss.39,40.

No suit to lie on decree of Small Cause Court . . . . " s.94.

Recovery of possession of immoveable property; fee . . " ss.41to49,71.

SMALL CAUSE COURTS—*contd.*

2. Jurisdiction and Procedure—*contd.*

References to High Court	Act15,1882,ss.69,70.
Execution of decrees	,, ss.27to31,35.
Distress and sale	,, ss.50to68, Sch.III.

3. Miscellaneous

Ministerial officers; appointment, duties, etc., of	,, ss.13,33.
,, ,, misconduct of	,, ss.78to82.
Seal	,, s.12.
Fees and costs	,, ss.71 to77,Sch.IV.
Procedure in case of difference as to necessity or amount of fee	Act7,1870,s.5.
Contempt of Court	Act15,1882,ss.83to88.
Process-servers	,, s.89.
Registers, returns, etc.	,, ss.90,91.
Holidays and vacations	,, s.92.
Exemptions from arrest	,, s.93.
Place of imprisonment	,, s.95.
Tender of amends to bar recovery	,, s.96.
Limitation of prosecutions	,, s.97.

B.—PROVINCES.

1. Preliminary.

Act 9, 1887, extends to whole of British India, except Presidency-towns	Act9,1887,ss.1,5.
,, ,, declared in force in British Baluchistan	Reg.1,1890,s.3.
,, ,, ,, in Upper Burma except Shan States	Act13,1898,s.4,Sch.1.
,, ,, does not affect—	
civil jurisdiction of Magistrates; Village Munsifs or Village Panchayats in Madras Presidency, or; Village Munsifs under Dekkhan Agriculturists' Relief Act	Act9,1887,s.3.
Jurisdiction of honorary Munsif or Bench in United Provinces	U.P.Act2,1896,s.7(4).

2. Constitution and Jurisdiction.

Power to establish Courts	Act9,1887,s.5(1).
Appointment, etc., of Judge for one or more Courts	,, ss.6,7.
,, ,, of Additional Judge	,, s.8.
Suspension or removal of Judge	,, s.9.
Bench of Judges; appointment of	,, s.10.
,, ,, procedure in case of difference of opinion between members	,, s.11.
Jurisdiction; local limits of	,, s.5(2).
,, what suits cognizable by Small Cause Courts; other Courts not to try such suits	,, s.15,16, Sch.II.
Administrative control over Small Cause Courts	,, s.28.

SMALL CAUSE COURTS—*contd.*

B.—PROVINCES—*contd.*

2. Constitution and Jurisdiction—*contd.*

Power of District Court to submit for revision proceedings had under mistake as to jurisdiction in small causes . . . . Act5,1908,Sch.1,o.46,r.7.
Power to abolish Small Cause Court . . . . . Act9,1887,s.30.
" appoint Judge to other office . . . . . " s.31.

3. Practice and Procedure.

Application of portions of the Code of Civil Procedure . . Act5,1908,s.7,Sch.1,o.50. Act9,1887,ss.17,34.
Registrar; trial of suits by . . . . . " ss.12,18.
" admission, return and rejection of plaints by . . " s.19.
" passing of decrees by, on confession . . . " s.20.
" execution of decrees by . . . . . " s.21.
" adjournment of cases by . . . . . " s.22.
Return of plaints involving questions of title . . . . " s.23.
Appeal to District Court from certain orders; revision by High Court; finality in other cases . . . . . " ss.24,25,27.

4. Miscellaneous.

Ministerial officers; appointment, etc., and duties of . . . " ss.12to14,31 (2).
Seal . . . . . " s.29.
Investiture of Civil Courts with powers of Small Cause Courts:
In Aden. *See* ADEN, 2.
In Ajmere. *See* CIVIL COURTS, II, 2.
In Agra, Assam, Bengal (except Sambalpur District) and Eastern Bengal. *See* CIVIL COURTS, III, 2.
In British Baluchistan. *See* CIVIL COURTS, VII.
In Lower Burma. " " VIII, A, 3.
In Upper Burma. " " IX, A, 2.
In Central Provinces and Sambalpur District. " " X, 2.
In Madras Presidency. " " XII, A, 2; B, 2.
In Oudh. " " IV, 2.
In Punjab. " " XIV, 3.
In Coorg . . . . . Reg.1,1901,s.18.
In N.-W. Fr. Province . . . . . Reg.7,1901,s.59.
Application of Act 9, 1887, to Courts invested with jurisdiction of Small Cause Court . . . . . Act9,1887,ss.32to34.
Continuance of proceedings of abolished Courts . . . " s.35.
Government orders to be published in Gazette . . . . " s.37.

5. Special Provisions for Rangoon Small Cause Court.

Jurisdiction of, in suits exceeding Rs. 1,000 in value; procedure in such suits; appeal . . . . . " Act6,1900,s.27.

6. Cantonments.

Suits cognizable by Small Cause Courts in . . . . . Act15,1910,ss.7,8.
Continuance of jurisdiction notwithstanding reduction of jurisdiction of Judge . . . . . " s.9.

SMOKE.

Bengal and Eastern Bengal:

Ben. Act 3, 1905, extends to Calcutta and Suburbs and Howrah, and may be extended to other areas in Bengal or Eastern Bengal . . . . . Ben. Act 3, 1905, ss. 1, 2.

Definitions . . . . . „ s. 3.

Smoke-nuisances Commission:

Constitution of . . . . . „ s. 4.

Power to regulate transaction of business by . . . . „ s. 10(*a*).

„ prescribe powers and duties of . . . . „ s. 10(*b*).

„ authorize payment of fees to members of . . . . „ s. 10(*i*).

Inspectors of Smoke-nuisances:

Appointment and subordination of . . . . . „ s. 5.

Powers of . . . . . „ s. 9.

Power to prescribe powers and duties of . . . . . „ s. 10(*a*).

Power to prohibit erection of kilns or furnaces or making of coke „ s. 6(*1*).

Penalties for breach of prohibitions . . . . . „ ss. 6(*2*), (*3*), (*4*), 7.

Power to make rules . . . . . „ s. 10.

Penalty when smoke is emitted to a greater extent then in permitted by rules under Act . . . . . „ s. 8.

Cognizance of offences . . . . . „ s. 11.

Disposal of fines . . . . . „ s. 12.

Calcutta. *See also* MUNICIPALITY, VII, 6 (*o*).

Provisions as to consumption of smoke of furnaces in other municipalities:

See MUNICIPALITY, VIII, A, 6 (*n*); IX, 6 (*m*); XI, (6) (*t*).

SOCIETIES REGISTRATION ACT, 1860. (*See* SOCIETY) . . Act 21, 1860.

SOCIETY.

1. Literary, Scientific or Charitable.

Act 21, 1860, declared in force throughout British India, except as regards the Scheduled Districts . . . Act 15, 1874, s. 3.

„ „ declared in force in Upper Burma except Shan States . . . . . Act 13, 1898, s. 4, Sch. 1.

Description of societies within Act 21, 1860 . . . . . Act 21, 1860, ss. 1, 20.

Definition of "member" . . . . . „ s. 15.

„ "governing body" . . . . . „ ss. 16, 17.

Registration of . . . . . „ ss. 1 to 3, 17, 18.

Annual list of governors, etc. . . . . „ s. 4.

Property of, vested in governing body . . . . . „ s. 5.

Suits by and against . . . . . „ ss. 6 to 8.

„ against members of . . . . . „ s. 10.

Punishment of member for embezzlement, etc. . . . . „ s. 11.

Recovery of penalty accruing under bye-law of . . . . „ s. 9.

Alteration of purposes . . . . . „ s. 12.

Dissolution . . . . . „ ss. 13, 14.

Inspection, and granting of certified copies, of documents; such copies to be *primâ facie* evidence . . . . . „ s. 19.

SOCIETY—contd.

2. Religious.

Act 1, 1880, extends to whole of British India . . . . . Act 1, 1880, s.1.
" " *does* not apply to Hindus, Mahammadans or Buddhists . . . . . Act 1, 1880, s.1.
" " power to exclude other persons from operation of . . . Act 1, 1880, s.1.
Appointment of new trustees for holding *property of*, and vesting of property in them . . . . . Act 21, 1860, ss.2 to 5, Sch.
Dissolution of . . . . . " ss.6 to 8.
Reference of questions to High Court . . . . . " s.9.

3. Co-operative Credit.

Co-operative Credit Society:
Constitution of society and membership . . . . . Act 10, 1904, ss.3, 4.
Registration and incorporation of . . . . . " s.6.
Cancellation of . . . . . " s.24.
Act 6, 1882, not to apply to society *registered under Act 10*, 1904 . . . . . " s.28.
Dissolution of society . . . . . " s.22.
Profits of society up to certain limit to be carried to a fund; deposit of fund; distribution of surplus among members . . " ss.8, 11.
Powers of borrowing and lending . . . . . " ss.9, 13.
Members; liability of . . . . . " s.7.
" limit on capital held by; votes of . . . . . " ss.12, 13.
" transfer, attachment and devolution of shares or interests of . . . . . " ss.14 to 16.
" liability of past . . . . . " s.17.
" of estates of deceased . . . . . " s.18.
" priority and right to charge and set-off of society in respect of claim against . . . . . " ss.19, 20.
Audit, inspection and inquiry . . . . . " ss.21, 22.
Registrar; appointment of . . . . . " s.5.
Exemption from taxation . . . . . " s.25.
Recovery of sums due to Government . . . . . " s.26.
Rules . . . . . " s.27.
Special case . . . . . " s.29.

4. Unlawful Associations.

Power to declare an association unlawful . . . . . Act 14, 1908, s.15.
Definition of association; continuance of association notwithstanding formal dissolution . . . . . " ss.16, 18.
Penalty for taking part in or assisting unlawful association . " s.17.

SOLDIER defined. *See* WORDS AND PHRASES.

SOLICITOR.
Admission in England of British subjects who have been attorneys or solicitors in Courts of certain British Possessions; examinations in certain cases . . . . . *63-4 Vic. 14.*
Lien of . . . . . Act 9, 1872, s.171.
See also LEGAL PRACTITIONER, 4.

SOLITARY CONFINEMENT. *See* CRIMINAL LAW (INDIAN), 2.

SOUTH INDIAN RAILWAY PURCHASE ACT, 1890 (*See* FINANCE; RAILWAY) . . . . . 53-4 Vic. 6.

SPECIAL MARRIAGE ACT, 1872. (*See* BIGAMY; MARRIAGE II) . Act3,1872.
SPECIAL POLICE. *See* POLICE, I, A, 4; D, 4; E, 4; F, 4; G, 4; H, 4; J, 4; K.
SPECIFIC RELIEF ACT, 1877. (*See* ARBITRATION, PREVENTIVE RELIEF; SPECIFIC RELIEF) . . . . . Act1,1877.
SPECIFIC RELIEF.
Act 1, 1877, extends to whole of British India, except the Scheduled Districts[1] . . . . . Act1,1877,s.1.
" " declared in force in Upper Burma, except Shan States . . . . . Act13,1898,s.4,Sch.1.
" " s. 9, declared in force in British Baluchistan . . Reg.1,1890,s.3.
Definitions . . . . . Act1,1877,s.3.
Savings . . . . . " s.4.
How given . . . . . " s.5.
Not to be granted to enforce penal law . . . . . " s.7.
Property, immoveable; recovering possession of . . . . " ss.8,9.
" moveable " " . . . . " ss.10,11.
Contracts; specific performance of:
Cases in which specific performance enforceable . . . " ss.12to17.
Contracts of workmen engaged on construction of public work. *See* PUBLIC WORKS.
Purchaser's rights against vendor with imperfect title . . " s.18.
Power to award compensation in certain cases . . . " s.19.
Liquidation of damages not a bar to specific performance . " s.20.
Cases in which specific performance not enforceable . . " s.21.
Discretion of Court as to decreeing specific performance . . " s.22.
For whom specific performance may be enforced . . . " ss.23to25.
" " specific performance may not be enforced, except with a variation . . . . . " s.26.
Against whom specific performance may be enforced . . " s.27.
" " " " may not be enforced . " s.28.
Dismissal of suit for specific performance bars suit for compensation for breach of contract . . . . . " s.29.
Contracts and other instruments; rectification of:
When Court may rectify . . . . . " ss.31,32.
Court may look to intention of parties . . . . . " s.33.
Specific performance of contract after rectification . . " s.34.
Contracts; rescission of . . . . . " ss.35to38.
Awards, and directions in will to execute settlement; ss. 12 to 29 applied to . . . . . " s.30.
Cancellation of instruments . . . . . " ss.39to41.
Declaratory decrees:
Power to make . . . . . " s.42.
Effect of . . . . . " s.43.
Appointment of receiver pending suit . . . . . " s.44.
Enforcement of public duties:
Power of High Court of Calcutta, Madras or Bombay to order public servants and others to do certain specific acts; procedure . . . . . " ss.45to49.

[1] The Act has been extended to several Scheduled Districts by notification.

SPECIFIC RELIEF—*contd.*

Enforcement of public duties—*contd.*

High Court not to issue writ of *mandamus* . . . . . Act1,1877,s.50.

High Court to make rules as to procedure . . . . . ,, s.51.

Mandatory injunctions . . . . . ,, s.55.

SPIRIT.

Definitions of. *See* WORDS AND PHRASES.

Duty on imports of, by sea, or imports by land from foreign territory . . . . . Act8,1894,ss.3,5,Sch.3.

Duty leviable on imports coastwise . . . . . ,, ss.2(*4*),7.

See also CUSTOMS (INLAND); CUSTOMS (SEA); EXCISE, 3.

SPITI REGULATION, 1873. (*See* DEREGULATIONISED TRACT; SPITI). . . . . Reg.1,1873.

SPITI.

Is a Scheduled District . . . . . Act14,1874,s.3,Sch.I,Pt. V. Act15,1874,s.2,Sch.VI, Pt.V.

Criminal jurisdiction of the Nono of Spiti: fines leviable by him; his procedure . . . . . Reg.I,1873,ss.2to12.

,, ,, of Assistant Commissioner of Spiti . . ,, ss.9,13.

Future laws not to apply to Spiti unless the place is named therein . . . . . ,, s.14.

STAGE CARRIAGES ACT, 1861. (*See* CRUELTY TO ANIMALS I; STAGE CARRIAGE) . Act16,1861.

,, ,, ,, (1861) AMENDMENT ACT, 1876 . Act16,1876.

,, ,, ,, ,, ,, ,, 1898. (*See* STAGE CARRIAGE) . . . . . Act1,1898.

STAGE-CARRIAGE.

Act 16, 1861, as amended extends to whole of British India; saving of carriages plying within certain municipalities, cantonments, etc., power of Local Government to exempt carriages from provisions of Act . . . . . Act16,1861,ss.22,23.

Definitions of "stage-carriage," "horse," etc. . . . . ,, ss.1,21. Act1,1898,s.2.

Licensing and marking of carriages; fee for license; penalties; seizure of carriage . . . . . Act16,1861,ss.2to8,10,11. Act1,1898,s.3.

Penalty for ill-treating animal . . . . . Act16,1861,ss.9,10.

,, on driver, etc., endangering safety of passenger, etc., or injuring or endangering property . . ,, s.12.

Proceedings against owner when offence committed by driver, etc. . . . . ,, s.13.

Service of summons; cognizance of offences; recovery of fines, etc. . . . . ,, ss.14to20.

Power to make rules . . . . . ,, s.20A.

Application of Bengal Act relating to hackney-carriages when hackney-carriage plies for hire as a stage-carriage; definition of "stage-carriage" . . . . . Ben.Act2,1891,ss.3(*4*),44.

STAMP ACT (INDIAN), 1899. (*See* STAMPS) . . . . . Act2,1899.

STAMPS AND LIMITATION REGULATION (UPPER BURMA) 1887. (*See* STAMPS, 4) . . . . . Reg.10,1887.

STAMPS.

1. Preliminary.

Act 2, 1899, extends to whole of British India	Act2,1899,s.1.
„ „ declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3.
„ „ declared not to extend to Hill Districts of Arakan	Reg.2,1901.
Definitions	Act2,1899,s.2.

2. Duty.

General list of instruments liable to duty	„ s.3,Sch.I [Nos.5,13 (b),27,43sub. andNos.59 and62am. Act6,1910].
Duty payable on policies of sea insurance	„ s.7,Sch.I, No.47A.
„ „ on certificate issued under Legal Practitioners Act	Act18,1879,s.25,Sch.II.
„ „ on bonds, debentures or other certificates issued on loans under Local Authorities Loan Act, II, 1879	Act2,1899,s.8(am.Act6, 1910,s.2).
„ „ where several instruments used in same transaction	„ s.4.
„ „ when instrument relates to several distinct matters or comes within several descriptions in Sch. I.	„ ss.5,6.
Exemptions	„ s.3,prov. Act7,1903,s.40. Act10,1904,s.25.
Power to reduce or remit duty	Act2,1899, s.9.
Duty how to be paid ; use of stamps	„ ss.10to16.
Obligation of person receiving money exceeding R20, etc., to give duly stamped receipt	„ ss.30,31.
Time of stamping instruments	„ ss.17to19.
Valuations for duty	„ ss.20to28.
Duty by whom payable	„ s.29.
Adjudication by Collector as to proper stamp	„ ss.31,32.
Instruments not duly stamped :	
Impounding of, and procedure thereupon	„ ss.33,38to40, 46.
Inadmissible in evidence, and not to be acted upon or registered ; exceptions	„ ss.35,36.
Penalties	„ ss.35,38to40.
„ payment of, not to bar prosecution	„ s.43.
„ remission of	„ s.39.
Acceptance of duty when instrument unduly stamped by accident or through urgent necessity	„ s.41.
Endorsement when proper duty paid	„ s.42.
Recovery from third person of duty or penalty paid	„ s.44.
Power of payee to stamp bills, notes and cheques received by him unstamped, and recover amount	„ s.47.
Refund of penalty or excess duty	„ s.45.
Duties and penalties recoverable by distress and sale of moveables or as arrears of land-revenue	„ s.48.

STAMPS—*contd.*

2. Duty—*contd.*

Instruments not duly stamped—*contd.*

Loss in course of transmission of instrument impounded and sent to Collector . . . . . Act2,1899,s.46.

3. Management.

Reference to Chief Controlling Revenue-authority . . . „ s.56.
„ to High Court or Chief Court . . . . . „ ss.57to60.
Revision by Courts . . . . . „ s.61.
Allowance for spoiled or misused stamps . . . . . „ ss.49to53.
„ „ stamps not required for use . . . . . „ s.54.
„ on renewal of certain debentures . . . . . „ s.55.
Power of Local Government to make rules as to sale of stamps . . „ s.74.
„ Governor General in Council to make rules . . „ s.75.
Publication of rules . . . . . „ s.76.

4. Miscellaneous.

Act to be translated and indexed and sold at four annas a copy or less . . . . . „ s.78.
Penalties . . . . . „ ss.62to69.
See also above 2.
Prosecutions; sanction required to initiation of . . . „ s.70.
„ power to stay, and compound offence . . . „ s.70.
„ what Magistrates to have jurisdiction . . . „ s.71.
„ place of trial . . . . . „ s.72.
Chief Court of Punjab to be High Court of N.-W. Fr. in proceedings under ss. 57 to 60 . . . . . Reg.7,1901,s.6(*1*)(*c*).
Provisions of Act 1, 1879, as to consequences of instruments not being duly stamped, not to apply to instruments executed before s. 6 of Upper Burma Laws Act, 20 of 1886, came into force . . . . . (U.B.)Reg.10,1887,s.2.
Offences relating to stamps. *See* CRIMINAL LAW (INDIAN), 10.
Court-fees:
Act 2, 1899, not to affect Court-fees Act . . . . . Act2,1899,s.77.
See also COURT-FEES.
Postal:
See POST OFFICE (INDIAN LAW), 2, 3, 6.

STATE FOREST. *See* FOREST, 1.

STATE OFFENCES REGULATION (BENGAL), 1804[1] . . Ben.Reg.10,1804.

STATE OFFENCES.

Ben. Reg. 10, 1804,[2] declared in force—
throughout Agra, Bengal (except Sambalpur District) and Eastern Bengal except as regards the Scheduled Districts . Act15,1874,ss.6,7.
in the Santhál Parganas . . . . . Reg.3,1872,s.3.
in the Punjab and N.-W.-Fr. . . . . Act4,1872,s.3. Reg.7,1901,s.4,Sch.2.
in the Arakan Hill District (with modifications) . . . Reg.9,1874,s.3.
in the Central Provinces and Sambalpur District . . . Act20,1875,s.3.

[1] The short title was given by Act 5, 1897, s. 4.
[2] Ben. Reg. 10, 1804, has also been declared in force in Assam, except the North Lushai Hills, by notification under the Scheduled District Act, 1874.

STATE OFFENCES—*contd.*

Ben. Reg. 10, 1804, declared in force—*contd.*

in Oudh (with modifications) . . . . . Act18,1876,s.3.

in Ajmere . . . . . Reg.3,1877,s.3.

in Angul District . . . . . Reg.1,1894,s.3.

Mad. Reg. 7, 1808, declared in force throughout the Presidency of Madras except as regards the Scheduled Districts . . } Act15,1874,s.4.

Power of Governor General in Council—

to suspend functions of Criminal Courts and establish martial law during time of war or rebellion, and . . . . } Ben.Reg.10,1804,s.2. Mad.Reg.7,1808,s.2.

direct trial by Court-martial of persons owing allegiance to British Government taken in arms against Government or in commission of act of rebellion or of abetment of enemy . }

Capital punishment and forfeiture of property on conviction by such Court-martial . . . . . } Ben.Reg.10,1804,s.3. Mad.Reg.7,1808,s.3.

Ben. Reg. 10, 1804, and Mad. Reg. 7, 1808, not to prevent trial by ordinary Courts at instance of Governor General in Council . } Ben.Reg.10,1804,s.4. Mad.Reg.7,1808,s.4.

Short title given to Ben. Reg. 10, 1804 . . . . . Act5,1897,s.4.

Commission for trial of. *See* DISTURBED DISTRICT.

See also CRIMINAL LAW (INDIAN), 4; FOREIGNER, 1.

STATE OFFENCES ACT, 1857. (*See* DISTURBED DISTRICT) . Act11,1857.

STATE PRISONERS ACT, 1850. } (*See* STATE PRISONER) . { Act34,1850.
" " 1858. } Act3,1858.

STATE PRISONERS REGULATION (BENGAL), 1818[1] . . Ben.Reg.3,1818.

STATE PRISONER.

1818. Ben. Reg. 3, ss. 2 to 7 (State Prisoners).

1819. Mad. Reg. 2, ss. 2, 3, 5 to 7 (State Prisoners).

1827. Bom. Reg. 25, ss. 1 to 5 (State Prisoners).

1839. Act 24, s. 7 (Ganjam and Vizagapatam).

1850. Act 34 (State Prisoners).

1858. Act 3 (State Prisoners).

1859. Act 20, s. 6 (Murderous Outrages).

1860. Act 45, ss. 128 to 130 (Penal Code).

1867. Act 23, ss. 12, 13 (Murderous Outrages).

1871. Act 5, s. 15 (Prisoners).

1872. Act 4, s. 3 (Laws, Punjab).

" Reg. 3, s. 3 (Laws, Santhál Parganas).

1874. Act 15, ss. 3 to 7 (Laws Local Extent).

" Reg. 9, s. 3 (Laws, Arakan Hill District).

1875. Act 20, s. 3 (Laws, Central Provinces).

1876. Act 18, s. 3 (Laws, Oudh).

1877. Reg. 3, s. 3 (Laws, Ajmere).

1890. Reg. 1, s. 3 (Laws, British Baluchistan).

1894. Reg. 1, s. 3 (Laws, Angul).

1895. Reg. 1, s. 3 (Laws, Kachin Hills).

1896. Reg. 5, s. 3 (Laws, Chin Hills).

1898. Act 5, s. 491 (*Habeas Corpus*).

" Act 13, ss. 4, 8 (Laws, Burma).

1900. Reg. 1, s. 4 (Chittagong Hill Tracts).

1901. Reg. 7, s. 4 (Laws, N. W. Fr.).

Act 34, 1850, declared in force—

throughout British India, except as regards the Scheduled Districts . . . . . } Act15,1874,s.3.

in Chittagong Hill Tracts . . . . . Reg.1,1900,s.4.

in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

in the Arakan Hill District . . . . . Reg.9,1874,s.3.

in Upper Burma generally (except the Shan States) . . . Act13,1898,s.4,Sch.1.

in British Baluchistan . . . . . Reg.1,1890,s.3.

in Angul District . . . . . Reg.1,1894,s.3.

[1] The short title was given by Act 5, 1897, s. 4.

STATE PRISONER—*contd.*

Act 3, 1858, declared in force—

throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.
in Chittagong Hill Tracts . . . . . Reg.1,1900,s.4.
in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
in the Arakan Hill District (ss. 2 and 5) . . . . Reg.9,1874,s.3.
in Upper Burma generally, except the [1] Shan States (s. 5) . Act13,1898,s.4,Sch1.
in British Baluchistan (s. 5) . . . . . Reg.1,1890,s.3.
in Angul District . . . . . Reg.1,1894,s.3.

Ben. Reg. 3, 1818, declared in force[2]—

throughout Agra, Bengal (except Sambalpur District) and Eastern Bengal except as regards the Scheduled Districts . Act15,1874,ss.6,7.
in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
in Angul District . . . . . Reg.1,1894,s.3.
in Chittagong Hill Tracts . . . . . Reg.1,1900,s.4.
in Lower Burma . . . . . Act13,1898,s.8.
in Upper Burma generally (except the [1] Shan States) . . Act13,1898,s.4,Sch.1.
in the Arakan Hill District . . . . . Reg.9,1874,s.3.
in Kachin Hill Tracts, as regards hill-tribes . . . . Reg.1,1895,s.3.
in certain tracts in the Chin Hills . . . . . Reg.5,1896,s.3.
in the Punjab and N.-W.-Fr. . . . . Act4,1872,s.3. Reg.7,1901,s.4.
in the Central Provinces and Sambalpur District in Bengal . Act20,1875,s.3.
in Oudh (with modifications and with exception of s. 10) . Act18,1876,s.3.
in Ajmere . . . . . Reg.3,1877,s.3.
in British Baluchistan . . . . . Reg.1,1890,s.3.

Bom. Reg. 25, 1827, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts . . Act15,1874,s.5.

Mad. Reg. 2, 1819, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . ,, s.4.

Ben. Reg. 3, 1818, Bom. Reg. 25, 1827, and Mad. Reg. 2, 1819, declared in force, respectively, in Calcutta, Bombay and Madras cities . . . . . Act3,1858,s.2.

Power to issue warrant for confinement of person for reasons of State without judicial trial . . . . . Ben.Reg.3,1818,s.2(*1*). Bom.Reg.25,1827,s.1(*1*). Mad.Reg.2,1819,s.2(*1*).

Commitments by agents in Ganjam and Vizagapatam under Mad. Reg. 2, 1819 . . . . . Act24,1839,s.7

Warrant, form of . . . . . Ben.Reg.3,1818,s.2(*2*) Bom.Reg.25,1827,s.1(*2*), App.A. Mad.Reg.2,1819,s.2(*2*), App.

,, direction of . . . . . Act34,1850,s.1. Act5,1871,s.15.

[1] Act 3, 1858, s. 5, and Ben. Reg. 3, 1818, have been extended to the Shan States by the Shan States Laws and Criminal Justice Order, 1895.

[2] Ben. Reg. 3, 1818, has also been declared in force in the greater part of Assam, and in Coorg, by notification under the Scheduled Districts Act, 1874.

STATE PRISONER—*contd.*

Warrant; authority of . . . . . Act34,1850,s.1. Ben.Reg.3,1818,s.2(*3*). Bom.Reg.25,1827,s.1(*2*). Mad.Reg.2,1819,s.2(*3*).

" Ben. Reg. 3, 1818, applied to Sheriffs, etc., authorised by Act 34, 1850, to act on . . . . . Act34,1850,s.2.

Report to Government at beginning of confinement, as to effect of confinement on health of, and as to sufficiency of allowance for support of . . . . . Ben.Reg.3,1818,s.6. Bom.Reg.25,1827,s.5(*1*). Mad.Reg.2,1819,s.6.

Allowance for support of; fixing of, etc. . . . . Bom.Reg.25,1827,s.2.

" " seeing to due appropriation of . . Ben.Reg.3,1818,ss.7,8. Mad.Reg.2,1819,s.7.

Periodical reports as to conduct, health and comfort of . . Ben.Reg.3,1818,s.3. Bom.Reg.25,1827,s.3. Mad.Reg.2,1819,s.3.

Visiting of, by public officials . . . . . Ben.Reg.3,1818,s.4. Bom.Reg.25,1827,s.4(*2*).

Representations by, to be submitted to Government . . Ben.Reg.3,1818,s.5. Bom.Reg.25,1827,s.5(*2*). Mad.Reg.2,1819,s.5.

Powers of Governor General in Council under Act 34, 1850, conferred on Governments of Bombay and Madras . . . Act3,1858,s.3.

Power of Governor General in Council to remove State prisoner from one fortress, etc., to another . . . . . " s.5.

Penalty for harbouring, etc. . . . . Act45,1860,ss.128to130.

High Courts' power to issue directions of nature of *habeas corpus* does not extend to . . . . . Act5,1898,s.491.

Application of law as to, to persons confined under Act 20, 1859, or Act 23, 1867 (Murderous Outrages) . . . . . Act20,1859,s.6. Act23,1867,ss.12,13.

STATIONS.

Under Municipal Act in Assam. *See* MUNICIPALITY, IV, C.

STATUTE LAW REVISION (SUBSTITUTED ENACTMENTS) ACT, 1876. (*See* MERCHANT SHIPPING 2 (*g*)] . . . 39,40V.c.20.

STEAM-BOILERS AND PRIME-MOVERS ACT (BENGAL), 1879 Ben.Act3,1879.

" " " " " (BURMA), 1885 [1]Act1,1885.

" " " " " (MADRAS), 1893 Mad.Act3,1893.

" " " " " (UNITED PROVINCES) U.P.Act1,1899.

" " " " " (PUNJAB) . Punj.Act2,1902.

" " " " " (CENTRAL PROVINCES) Act2,1907.

" " " " " (BURMA), 1910 [1]Bur.Act2,1910.

STEAM-BOILERS AND PRIME-MOVERS.

1. Bengal (except Sambalpur District) and Eastern Bengal.

Ben. Act 3, 1879, extends to town and suburbs of Calcutta and to Howrah, and may be extended to other places by notification . . . . . Ben.Act3,1879,s.1.

" " " does not apply to locomotive engines used on railway or to steam-vessels in port of Calcutta . . . . . Ben.Act3,1879,s.1.

" " " declared in force in Santhál Parganas . . Reg.3,1872,s.3,Sch.

[1] Act 1, 1885, will be repealed by Bur. Act 2, 1910, when the latter is brought into force by notification.

STEAM-BOILERS AND PRIME MOVERS—*contd.*

1. Bengal (except Sambalpur District) and Eastern Bengal—*contd.*

Definitions	Ben. Act 3, 1878,	s.3.
Appointment, etc., of Inspectors	,,	s.4.
Owners of boilers or prime-movers having no certificate to give notice to Inspector	,,	s.5.
Grant of certificates; examination of boiler or prime-mover by Inspector	,,	ss.5 to 7, Sch.
Revocation or suspension of certificates	,,	s.8.
Appeal against refusal, revocation or suspension of certificate	,,	s.9.
Power of Inspector to enter premises	,,	s.10.
Penalties	,,	s.11.
Prosecutions: sanction required to; limitation of	,,	s.12.
Disposal of fines	,,	s.13.
Power of Local Government to make rules for working of Act	,,	s.4.

2. Bombay Presidency.

Bom. Act 2, 1891, extends to City of Bombay and certain other places; power to extend it elsewhere by notification	Bom. Act 2, 1891,	s.1(2).
,, ,, ,, not to apply to steam-vessels or railways or to boilers or prime-movers used for domestic purposes at atmospheric pressure or upon notified vehicles	,,	s.1(3).
,, ,, ,, does not apply to prime-movers till notified	,,	s.37(1).
Definitions	,,	s.3.
Inspectors; appointment, etc., of	,,	s.4.
,, to be under control of Collector		
Appointment of Commissions for hearing of appeals and revocation of certificates	,,	s.5.
Owner of boiler not to use it unless it is certificated and is in charge of competent engineer, and not to work it at higher pressure than is allowed by such certificate; grant and duration of provisional order	,,	s.6.
Grant and renewal of certificates; examination of boiler by Inspector	,,	ss.8 to 10. Sch. A.
Duration of certificate	,,	s.10(3).
Appeal against refusal of certificate	,,	ss.11 to 13.
Revocation of certificate	,,	s.14.
Production of certificate on demand	,,	s.18.
Transfer of certificate to new owner of boiler	,,	s.18(2).
Power of Inspector to enter premises and examine boiler and order working of boiler to be stopped	,,	s.15.
Registration of boilers	,,	ss.7,8.
Accidents to boiler; report of; order to discontinue use of boiler	,,	s.17.
Owner to report alterations in boiler	,,	s.16.
Engineers; examination of, and grant of certificates to	,,	ss.19 to 23.
,, withdrawal, suspension and cancellation of certificates of	,,	s.24.
,, record of certificates granted to	,,	s.25.
,, grant of duplicate certificates to	,,	s.26.

STEAM-BOILERS AND PRIME MOVERS—*contd.*

2. Bombay Presidency—*contd.*

Engineers; not to be in charge of boilers unless certificated	Bom.Act2,1891,	s.27.
Penalties	,,	ss.28,29to31.
,, certain, not to be enforced in certain places until date notified	,,	s.34.
Magistrates by whom offences cognizable	,,	s.32.
Prosecution; sanction required to; limitation of	,,	s.33.
Power of Local Government to make rules for working of Act	,,	s.35,Sch.B.
Disposal of fees, costs and fines	,,	s.36.
"Boiler" to include "prime-mover," when Act applied to prime-movers by notification	,,	s.37(2).

3. Burma.

Bur. Act 2, 1910, to extend only to notified areas	[1]Bur.Act2,1910,	s.1(3).
,, ,, ,, not to apply to steam vessels or railways or to notified boilers or prime movers, or to notified classes of boilers or prime-movers	,,	s.1(4).
Definitions	,,	s.3.
Constitution of Boiler Commission for supervising administration of Act, appointing inspectors and examining boards, issuing certificates to Engineers and engine drivers and hearing of appeals from inspectors	,,	ss.4,5.
Proceedings of Boiler Commission to be subject to approval of Local Government	,,	s.22.
Boiler or prime-movers not to be used or permitted to be used except under license and in charge of certificated person: exception	,,	s.6.
Grant of license for boiler or prime-mover; examination of boiler by inspector	,,	ss.7to9,11, Schs.1,2,3.
Revocation or suspension of license	,,	s.13.
Licensed boiler not to be used without permission after continuous non-user for four months	,,	s.10(2).
Accidents to boiler, report of	,,	s.10(1).
Power of inspector to enter premises for inspecting boiler or prime-mover	,,	s.17.
Engineers and engine drivers; examination of, and grant of certificates to	,,	ss.14,15, Sch.4.
Appeals	,,	s.16.
Penalties	,,	ss.12,18.
Sanction and limitation to prosecution	,,	s.19.
Inspection and certification of boiler or prime-mover for purpose of sale, insurance etc.	,,	s.20.
Rules		s.21.

4. Central Provinces.

Act 2, 1907, extends to Central Provinces	Act2,1907,	s.1(2).
,, does not apply to locomotive engines, boilers or prime-movers of railways, or to boilers or prime-movers used for domestic purposes at atmospheric pressure or for notified vehicles	,,	s.1(3)
,, power to apply provisions to prime-movers	,,	s.27.

[1] Bur. Act 2, 1910, will come into force when notified.

STEAM-BOILERS AND PRIME MOVERS—*contd.*

4. Central Provinces—*contd.*

Definitions	Act 2, 1907	s.2.
Appointment, etc., of inspectors	,,	s.3.
Prohibition of use of boiler except under license and under direct management of certificated engineer; penalty	,,	ss.4,19.
Registration and numbering of boilers; penalty for tampering with, etc.	,,	ss.5,20,21.
Boiler license; application for and procedure thereon; inspection of boiler by Inspector and duties of owner, etc., penalty; grant and renewal of	,,	ss.6to8,Sch. A,s.18(*a*).
,, refusal to grant, appeal from; costs of appeal	,,	ss.9to11.
,, power of District Magistrate to revoke	,,	s.12.
Licensed boiler; examination of and powers of Inspector in connection therewith	,,	s.13.
,, alterations in, duty of owner to report; penalty	,,	ss.14,18(*b*).
,, transferee of, entitled to license	,,	s.16(*2*).
,, duty of owner or transferee of, to produce license; penalty	,,	ss.16,18(*c*).
Accident to boiler; duty to report; power to order discontinuance of use of boiler; penalty	,,	ss.15,18(*d*),19 (*c*).
Engineers; grant of certificate of competency to	,,	s.17.
Penalties; cognizance of offences; limitation of prosecutions	,,	ss.18to24.
Power to make rules	,,	s.25.
Fees for inspection of boiler	,,	s.25(*1*)(*b*), Sch.B.
Fees, costs, penalties, etc., to be disposed of as Chief Commissioner may direct	,,	s.26.
Prime-movers; power to apply provisions of Act to	,,	s.27.

5. Madras Presidency.

Mad. Act 3, 1893, extends to City of Madras and may be extended by notification to other areas	Mad.Act3,1893	s.1(*3*).
,, ,, ,, does not apply to steam-vessels or railways or to boilers used for domestic purposes at atmospheric pressure or upon notified vehicles	,,	s.1(*4*)(am. Mad.Act1, 1904,s.2).
,, ,, ,, does not apply to prime-movers till notified	,,	s.24(*1*).
Definitions	,,	s.2.
Appointment, etc., of Inspectors	,,	s.3.
Power to direct that boiler shall not be used unless in charge of person holding certificate under Act	,,	s.14.
Grant of such certificates	,,	ss.15to18.
Cancellation or suspension of such certificates	,,	s.19.
Power to grant duplicate certificate	,,	s.20.
Use of boiler without license, after notified date, prohibited	,,	s.4.
Grant of licenses; examination of boiler by Inspector	,,	ss.5to8(s.6 am.Mad.Act7,1909,s.2), Sch.A.
Duration of license	,,	s.7.
Production of license on demand	,,	s.10.
Transfer of license to new owner of boiler	,,	s.10(*2*).

STEAM-BOILERS AND PRIME-MOVERS—*contd.*

5. Madras Presidency—*contd.*

Notice of alteration or renewal in licensed boiler	Mad.Act3,1893,s.10(*3*)(ins. Mad.Act7,1909,s.3).
Report of accidents to boiler	„ s.10A(ins. Mad.Act7,1909,s.4).
Revocation and suspension of licenses	„ s.11.
Appeal against refusal, revocation or suspension of license	„ s.12(am. Mad.Act1,1904,ss.3,4; Mad.Act7,1909,s.5).
Registration of licensed boilers	„ s.9.
Power of Inspector to enter premises	„ s.13.
Penalties	„ s.21(sub. Mad.Act7,1909,s.6).
Limitation of prosecutions	„ s.22.
Power of Local Government to make rules for working of Act	„ s.23.
"Boiler" to include "prime-mover," when Act applied to prime-movers by notification	„ s.24(*2*).

6. Punjab.

P. Act 2, 1902, to extend to notified areas in the Punjab	P.Act2,1902,s.1(*2*).
„ not to apply to railways or steam-vessels	„ s.1(*3*).
Definitions	„ s.2.
Inspectors; appointment; etc., of	„ ss.3(*1*),(*2*), 17(*a*).
„ power of, to enter buildings or places	„ s.13.
Appointment of persons to hear appeals	„ s.3(*3*).
Boiler or prime-mover not to be used without license after notified date	„ s.5(*1*).
Grant and renewal of license; examination of boiler by Inspector; fees	„ ss.5(*2*),6to9, 17(*b*),Sch.1,2,3.
Duration of license	„ ss.10,17(*c*).
Revocation or suspension of license	„ s.11.
Appeal against refusal, revocation or suspension of license	„ ss.12,17(*e*).
Engineers or engine-drivers; examination of and grant of certificate to	„ s.4.
„ „ license not to be granted unless boiler or prime-mover is in charge of	„ s.5(*2*).
„ „ temporary use of boiler or prime-mover not in charge of	„ s.17(*d*).
Engineers holding first class certificate; report of, when sufficient ground for grant of license without examination by Inspector	„ s.9,Sch.2,3.
Penalties	„ ss.14,15.
Prosecution, sanction required for; limitation	„ s.16.
Power to make rules	„ s.17.

7. United Provinces.

U. P. Act 1, 1899, to extend to notified areas in the United Provinces	U.P.Act1,1899,s.1(*2*).
„ „ „ does not apply to railways or steam-vessels	s.1(*3*).

STEAM-BOILERS AND PRIME-MOVERS—*contd.*

7. United Provinces—*contd.*

Definitions	U. P. Act,1,1899,s.2.
Appointment, etc., of Inspectors	„ s.3.
Power to make rules as to examination of and grant of certificates to, engineers and engine-drivers	„ s.4.
Use of boiler or prime-mover without license, after notified date, prohibited	„ s.5(*1*).
Grant of licenses ; examination by Inspector of boiler or prime-mover	„ ss.5(*2*),6to 9,Sch.1to3.
Duration of license	„ s.10.
Revocation and suspension of licenses	„ s.11.
Appeal against refusal, revocation or suspension of license	„ s.12.
Power of Inspector to enter premises	„ s.13.
Penalties	„ ss.14,15.
Prosecutions ; sanction required to ; limitation of	„ s.16.
Power to make rules	„ ss.4,17.
STEAM-SHIPS ACT (INDIAN), 1884. (*See* MERCHANT SHIPPING)	„ Act7,1884.

STOLEN PROPERTY.

Punishment for receiving, etc. *See* CRIMINAL LAW (INDIAN), 15.	
Penalty for being found in possession of	(Cal.)Ben.Act4,1866,s.54 A,(ins.Ben.Act3,1910, s.13). (Cal.Sub.)Ben.Act2,1866, s.33A(ins.Ben.Act3, 1910,s.13). (Bo.City)Bom.Act4,1902, s.114. (Howrah)Act21,1857,ss. 1,2. (M.City)Mad.Act3,1888, s.65. (Ran.)Bur.Act4,1899,s. 31,s.31A(ins.Bur.Act1, 1904).
Power of police to search for	(Bo.City)Bom.Act4,1902, s.66. (Cal.)Ben.Act4,1866,ss. 79(am.Ben.Act3,1910,s, 26),80(am.,Ben.Act3,1907, s.4). (M.City)Mad.Act3,1888, s.26.
„ „ to seize	(Cal.)Ben.Act4,1866,s.81. (Bo.City)Bom.Act4,1902, s.37.
Power of headman of village to search for and seize	Mad.Reg.11,1816,s.11(*1*).
Duty of headman of ward or village to report residence of notorious receivers of	Bur.Act3,1907,s.6(*a*). Bur.Act6,1907,s.7(*a*).
Recovery of, through pawnbroker, etc. *See* POLICE, I, D, 3 ; E, 3 ; G, 3 ; J, 2.	
Restoration of, to owner. *See* CRIMINAL PROCEDURE, 12 (3). *See also* FUGITIVE OFFENDER (*c*).	

STONE.

Mirzapur District :

Definitions	Act5,1886,s.3,Sch.	
Government entitled to levy duty on all stone quarried	,,	s.4.
Proprietors of land not to impose prohibition or restriction or receive duty, etc., in respect of quarrying, etc.	,,	s.5.
Right of public to quarry stone and transport stone, subject to rules.; decision of disputes by Collector ; bar to jurisdiction of Civil Courts	,,	s.6.
Power of Local Government to make rules as to quarrying, duty, etc. ; penalty for breach of rule	,,	ss.7,8.
Postponement of operation of rule altering duty	,,	s.10.
Penalty for evasion of duty ; burden of proof ; limitation of prosecutions	,,	ss.11to13.
Prosecutions under other laws not barred, but only one punishment allowed	,,	s.14.
Powers of arrest, seizure and search	,,	ss.15,16.
Recovery of duty	,,	s.17.
Exemption of inhabitants of hills from payment of duty	,,	s.20.
Appeal from and revision of orders and decisions under Act	,,	s.18.

See also MINES AND MINERALS ; PRECIOUS STONES.

STOWAWAY. *See* MERCHANT SHIPPING, 2 (*g*).

STRAITS SETTLEMENTS ACT, 1866[1] (*See* GOVERNMENT OF INDIA ; STRAITS SETTLEMENTS) . . . . . 29-30V.c.115.

STRAITS SETTLEMENTS.

Separation of, from India . . . . . 29-30V.c.115.

STREET.

Definitions of. *See* WORDS AND PHRASES.

Regulation of, in municipalities :

See MUNICIPALITY, *Sub-heading* "Public Health, Safety and Convenience."

Control, etc., over in Aden—*See* Aden, 3.

,, ,, ,, in British Baluchistan—*See* BRITISH BALUCHISTAN II, 6 (*a*).

See also ELECTRICITY ; ROAD.

STREETS, THOROUGHFARES AND PUBLIC PLACES.

Punishment for driving, etc., elephant or camel without permission	(Cal.) Ben.Act4,1866,s.66 (*1*) (Cal.Sub.)Ben.Act2,1866, s.40(*1*). (Mad.City)Mad.Act3, 1888,s.71(*iii*). (Rang.)Bur.Act4,1899,ss. 41(*1*),43D.
,, driving vehicle without proper lights	(Bom.City)Bom.Act4, 1902,ss.22(*1*)(*d*),127. Bom.Act4,1890,s.61(*a*). (Cal.)Ben.Act4,1866,s. 66(2). (Cal.Sub.)Ben.Act2,1866, s.40(2).

[1] This short title was given by 59 & 60 Vict. c. 14.

STREETS, THOROUGHFARES AND PUBLIC PLACES—*contd.*

Punishment for driving vehicle without proper lights—*contd.*	(Mad.City)Mad.Act3, 1888,s.71(*iv*)(rep.in pt. Mad.Act4,1905). (Rang.)Bur.Act4,1899,ss. 41(*2*),43D.
„ driving vehicle, etc., contrary to rule of the road or police regulations	(Bom.City)Bom.Act4. 1902,ss.22(*1*)(*b*),127, Bom.Act4,1890,s.61(*b*), (Cal.)Ben.Act4,1866,s. 66(*3*). (Cal.Sub.)Ben.Act2,1866, s.40(*3*). (Mad.City)Mad.Act3,1888, s.71(*v*). Mad.Act3,1889,s.3(*3*). (Rang.)Bur.Act4,1899,s. 41(*3*),43D.
„ exposing for sae, etc., dressing or breaking horses, exposing, repairing, etc., carriages	Act5,1861,s.34(*1*). (Bom.City)Bom.Act4, 1902,s.118(*a*),(*b*),(*d*). Bom.Act4,1890,s.61(*e*). (Cal.)Ben.Act4,1866,s.66 (*4*). (Cal.Sub.)Ben.Act2,1866, s.40(*4*), (Mad.City)Mad.Act3. 1888,s.71(*x*) (Rang.)Bur.Act4,1899, ss.41(*5*),43D.
„ setting dog, letting loose any animal, etc.	(Bom.City)Bom.Act4, 1902,s.118(*e*),(*f*). Bom.Act4,1890,s.61(*k*), (How.)Act21,1857,s.23 (*ii*). (Mad.City)Mad.Act3. 1888,s.71(*xii*), Mad.Act3,1889,s.3(*7*).
„ flying kites so as to cause annoyance, etc.	(Bom.City)Bom.Act4. 1902,s.118(*i*). (Mad.City)Mad.Act3, 1888,s.71(*xiv*).
„ furious or negligent driving, riding, etc.	Act5,1861,s.34(*1*). (Bom.City)Bom.Act4, 1902,s.118(*g*). Bom.Act4,1890,s.61(*d*). (How.)Act21,1857,s.23 (*i*). (Mad.City)Mad.Act3, 1888,s.71(*i*)(*ii*) Mad.Act3,1889,s.3,(*1*),(*2*). (Rang.)Bur.Act4,1899 ss.41(*a*),(*6*),43D.

STREETS, THOROUGHFARES AND PUBLIC PLACES—*contd.*

Punishment for leaving cart, etc., without proper control .	Bom.Act4,1890,s.61(*c*). (How.)Act21,1857,s.23 (*iii*). (Mad.City)Mad.Act3, 1888,s.71(*viii*),1(*ix*). Mad.Act3,1889,s.3(*4*). (Rang.)Bur.Act4,1899,ss. 41(*7*),43D.
„ „ causing obstruction by any article, cart, truck, etc.	Act5,1861,s.34(*3*). Bom.Act4,1890,s.61(*d*),(*f*), (*h*). (Cal.)Ben.Act4,1866,s.66 (4*a*)(ins.Ben.Act3,1910,s. 17). (Cal.Sub.)Ben.Act2,1866, s.40(4*a*)(ins.Ben.Act3, 1910,s.17). (Mad.City)Mad.Act3, 1888,s.71(*xi*),(*xiii*). Mad.Act3,1889,s.3(*5*),(*6*). (Rang.)Bur.Act4,1899,ss. 41(*8*),(*10*),43D.
„ obstructing footway by riding, driving, fastening horses, etc.	(Bom.City)Bom.Act4, 1902,s.118(*c*). Bom.Act4,1890,s.61(*g*). (How.)Act21,1857,s.23 (*iv*). (Mad.City)Mad.Act3, 1888,s.71(*vii*). (Rang.)Bur.Act4,1899,ss. 41(*9*),43D
„ driving carts, etc., with insufficiently greased wheels	(Cal.)Ben.Act4,1866,s.66 (*10*). (Cal.Sub.)Ben.Act2,1866 s.40(*11*).
„ driving vehicles without springs otherwise than on side of road	(Mad.City)Mad.Act3, 1888,s.71(*vi*).
„ beating drum, blowing horn, etc. . . .	(Mad.City)Mad.Act3 1888,s.71(*xv*) (Rang.)Bur.Act4,1899,ss. 41(*11*),43D.
„ lighting fires, discharging guns, firearms, fireworks, etc.	Bom.City)Bom.Act4, 1902,s.119. (Cal.)Ben.Act4,1866,s.66 (*11*). (Cal.Sub.)Ben.Act2,1866, s.40(*10*). (How.)Act21,1857,s.23 (*vi*). (Mad.City)Mad.Act3, 1888,s.74.

STREETS, THOROUGHFARES AND PUBLIC PLACES—*contd.*

Punishment for lighting fires, discharging guns, firearms, fireworks, etc.—*contd.*	(Rang.)Bur.Act4,1899,ss. 42,43D.
,, unauthorised illumination, putting up structures, etc., for illumination	(Bom.City)Bom.Act4, 1902,ss.22(*1*)(*f*)(*iii*),127. (Cal.)Ben.Act4,1866,s.62 (sub.Ben.Act3,1910,s. 16). (Cal.Sub.)Ben.Act2,1866, s.39(sub.Ben.Act3,1910, s.16). (Rang.)Bur.Act4,1899,ss. 41(*12*),43D.
,, posting bills, advertisements, etc., on or otherwise defacing building, tree, fence, etc., without consent	(Cal.)Ben.Act4,1866,s.66 (*13*)(am.Ben.Act3,1907, s.7). (Cal.Sub.)Ben.Act2,1866, s.40(*13*)(am.Ben.Act3, 1907,s.7). (Mad.City)Mad.Act3, 1888,s.71(*xvi*). (Rang.)Bur.Act4,1899,ss. 43,43D
,, bathing or washing, except at appointed places	Act5,1861,s.34(7). Bom.Act4,1890,s.61(*j*),(*l*). (Cal.)Ben.Act4,1866,s.66 (*14*). (Cal.Sub.)Ben.Act2,1866, s.40(*14*). (Mad.City)Mad.Act3, 1888,s.71(*xvi*). (Rang.)Bur.Act4,1899,s. 41(*13*),43D.
,, obstructing persons at bathing-places . .	(Bom.City)Bom.Act4, 1902,s.118(*h*). Bom.Act4,1890,s.61(*n*). (Cal.)Ben.Act4,1866,s.66, (*15*). (Cal.Sub.)Ben.Act2,1866, s.40(*15*). (Mad.City)Mad.Act3, 1888,s.71(*xviii*).
,, drunkenness, riotous or indecent behaviour .	Act5,1861,s.34(*6*),(*7*). (Bom.City)Bom.Act4, 1902,s.122. Bom.Act4,1890,s.61(*o*),(*p*), (*q*),(*r*). (Cal.)Ben.Act4,1866,ss.68, 68A. (Cal.Sub.)Ben.Act2,1866, ss.40(*18*),41. (How.)Act21,1857,ss.20, 21.

STREETS, THOROUGHFARES AND PUBLIC PLACES—*contd.*

Punishment for drunkenness, riotous or indecent behaviour—*contd.*	(Mad.City)Mad.Act3, 1888,ss.71(*xix*),75. Mad.Act3,1889,s.3(*11*),(*12*). (Rang.)Bur.Act4,1899, ss.41(*14*),(*15*),43D.
Punishment for committing nuisance	Act5,1861,s.34(*7*). (Bom.City)Bom.Act4, 1902,s.124. Bom.Act4,1890,s.61(*j*). (Cal.)Ben.Act4,1866,s. 68A. (Cal.Sub.)Ben.Act2,1866, s.40(*18*). (How.)Act21,1857,s.21. (Mad.City)Mad.Act3, 1888,s.73. Mad.Act3,1889,s.3(*11*). (Rang.)Bur.Act4,1899,ss. 41(*15*),43D.
,, soliciting for purposes of prostitution	(Bom.City)Bom.Act4, 1902,s.120. (Cal.)Ben.Act4,1866,s. 68B. (Cal.Sub.)Ben.Act2,1866, s.41A. (Mad.City)Mad.Act3, 1888,s.71(*xx*). (Rang.)Bur.Act4,1899,ss. 43C,43D.
,, begging for alms, exposing sores, deformities, etc.	Act5,1861,s.34(*b*). (Bom.City)Bom.Act4, 1902,s.121. Bom.Act4,1890,s.61(*s*). (Cal.)Ben.Act4,1866,s.70. (Cal.Sub.)Ben.Act2,1866, ss.40(*17*),40A(ins.Ben. Act3,1910,s.19). (How.)Act21,1857,s.22. (Mad.City)Mad.Act3, 1888,s.71(*xxi*). Mad.Act3,1889,s.3(*8*). (Rang.)Bur.Act4,1899,ss. 41A,43D.
,, neglecting to fence dangerous places	Act5,1861,s.34(*8*). (Rang.)Bur.Act4,1899,ss. 41(*17*),43D.
,, throwing dirt, rubbish, etc.	Act5,1861,s.34(*5*). Mad.Act3,1889,ss.3(*9*),4.
,, cruelty to animals	Act5,1861,s.34(*2*). (How.)Act21,1857,s.23(*v*).

STREETS, THOROUGHFARES AND PUBLIC PLACES—*contd.*

See also ARMS, AMMUNITION AND MILITARY STORES; CRIMINAL LAW (IND.) 12; GAMING, 3; HIGHWAYS; HOWRAH; MOTOR CARS AND CYCLES; MUNICIPALITY; NUISANCE; PLACES OF PUBLIC RESORT; POLICE.

SUB-AGENT. *See* AGENCY.

SUBMARINE TELEGRAPH ACT, 1885 . . . . . 48-9V.c.49.

SUBMARINE TELEGRAPH.

Confirmation of International Convention for protection of submarine cables . . . . . 48-9V.c.49,s.2,Sch.

Penalty on breaking or injuring submarine cables . . . 48-9V.c.49,s.3.

Lights and signals for vessels laying cables, etc. . . . „ s.5.

Powers of officers; procedure; evidence . . . . . „ ss.6to8.

Liability of masters of vessels . . . . . „ s.9.

Extent, commencement, and duration of Act . . . . „ ss.11,13.

SUB-SETTLEMENT ACT (OUDH), 1866. (*See* LAND-REVENUE, XVI, 3) . . . . . Act26,1866.

SUCCESSION ACT (INDIAN), 1865. (*See* SUCCESSION) . . Act10,1865.

SUCCESSION CERTIFICATE ACT, 1889. [*See* ADMINISTRATION OF ESTATES (INDIAN LAW), 5] . . . . . Act7,1889.

SUCCESSION (PROPERTY PROTECTION) ACT, 1841. [*See* ADMINISTRATION OF ESTATES (IND. LAW)] . . . . Act19,1841.

SUCCESSION.

1793. Ben. Reg. 11
1795. Ben. Reg. 44
1800. Ben. Reg. 10
1805. Ben. Reg. 12, s. 36
(Wills and Intestacies of Natives).

1829. Mad. Reg. 5, s. 4 (Wills of Hindus).

1838. Act 25 (Wills between 1839 and 1866; English Law).

1839. Act 30 (Descents between 1840 and 1866; English Law).

1861. 24-5 V. c. 114 (Probate in United Kingdom; Domicile).

1865. Act 10, ss. 3 to 178, 331, 332 (Succession).

1865. Act 21 (Intestate Succession, Parsis).

1866. Act 28, s. 29 (Descents between 1840 and 1866; English Law).

1868. Act 8 (Repeal).

1870. Act 21 (Wills of Hindus, etc.).

1872. Reg. 3, s. 3 (Laws, Santhál Parganas).

1874. Act 3, s. 2 (Married Women's Property).

„ Act 15, ss. 3, 4, 6 (Laws Local Extent).

„ Reg. 9, s. 3 (Laws, Arakan Hills).

1890. Reg. 1, s. 3 (Laws, British Baluchistan).

1896. Mad. Act 4, ss. 1, 23, 24 (Intestacy: Hindus, Madras).

1898. Act 13, s. 4 (Laws, Burma.)

„ Mad. Act 5 (Malabar Wills).

1908. Act 16, ss. 40-46 (Registration and Deposit of Wills.)

1. Preliminary.
2. Domicile.
3. Consanguinity.
4. Effect of Marriage.
5. Intestacy.
6. Wills.
7. Gifts in Contemplation of Death.
8. Special and Local.
9. Miscellaneous.

1. Preliminary.

Acts 25, 1838 (Wills), and 30, 1839 (Inheritance), declared in force throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.

Act 10, 1865 (Indian Succession Act)—

applies to whole of British India . . . . . Act10,1865,s.2.

SUCCESSION—*contd.*

1. Preliminary—*contd.*

Act 10, 1865, (Indian Succession Act)—*contd.*

declared in force in—

the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

the Arakan Hill District (but not so as to affect Native Christians) . . . . . Reg,9,1874,s.3.

Upper Burma generally (except the Shan States) . . Act13,1898,s.4,Sch.1.

British Baluchistan . . . . . Reg.1,1890,s.3.

Act 21, 1865 (Intestate Succession, Pársís), declared in force—

throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.

in the Arakan Hill District . . . . . Reg.9,1874,s.3.

in Upper Burma, except Shan States . . . . . Act13,1898,s.4,Sch.1.

Act 21, 1870 (Hindu Wills Act)—

applies to Bengal and the towns of Madras and Bombay . Act21,1870,preamble.

declared in force in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

Ben. Reg.11, 1793 (Inheritance), declared in force throughout Bengal (except Sambalpur District) and Eastern Bengal, except as regards the Scheduled Districts . . . . Act15,1874,s.6.

Mad. Reg. 5, 1829 (Hindu Wills), declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . . ,, s.4.

Act 10, 1865, does not apply to wills made or intestacies occurring before 1st January 1866 . . . . . Act10,1865,s.331,

General definitions . . . . . Act10,1865,s.3.

2. Domicile.

Succession to immoveables in British India regulated by law of British India; succession to moveables regulated by law of country of domicile . . . . . ,, s.5.

Where non-Indian domicile not proved, succession to moveables regulated by law of British India . . . . . ,, s.19.

Provisions for determining domicile . . . . . ,, ss.6to18.

Change of, not to invalidate will . . . . . 24-5V.c.114,s.3.

3. Consanguinity.

Definitions of "kindred," "consanguinity," "lineal consanguinity" and "collateral consanguinity" . . . . . Act10,1865,ss.20to22.

What persons held to be similarly related to deceased . . ,, s.23.

Computation of degrees of kindred . . . . . ,, s.24.

4. Effect of Marriage.

Interests not acquired nor powers lost by marriage contracted on or after 1st January, 1866 . . . . . ,, ss.4,331.

Act 10, 1865, s. 4, not to apply in case of Hindus, Muhammadans, Buddhists, Sikhs or Jainas . . . . . Act3,1874,s.2.

Where one party domiciled in British India and the other not, no rights acquired which would not result if both parties were domiciled in British India . . . . . Act10,1865,s.44.

Settlement of minor's property in contemplation of marriage . ,, s.45.

See also TALUQDARS AND GRANTEES, OUDH; *and below*, 8 (*c*).

SUCCESSION—*contd.*

5. Intestacy.

Definition	Act	10, 1865, s. 25.
Devolution of property :		
General rules	,,	ss. 26 to 28.
Widow's share	,,	ss. 26, 27.
Widower's share	,,	ss. 26, 27, 43.
Escheat to Crown	,,	s. 28.
Distribution among lineal descendants	,,	ss. 29 to 33.
,, where no lineal descendants	,,	ss. 34 to 42.

6. Wills.

Who capable of making	,,	s. 46.
Power of father to appoint testamentary guardian	,,	s. 47.
Unprivileged will :		
Execution of	,,	s. 50.
Incorporation of papers by reference	,,	s. 51.
Privileged will :		
Who may make	,,	s. 52.
How to be made and executed	,,	s. 53.
Registration of	Act	16, 1908, ss. 40, 41.
Deposit of, with Registrar of Documents	,,	ss. 42, 43.
Withdrawal by testator of will so deposited	,,	s. 44.
Procedure of Registrar on death of depositor	,,	s. 45.
Act 16, 1908, not to affect Act 10, 1865, s. 259, Act 5, 1881, s. 81, or power of Court to compel production of will ; Registrar's procedure when Court orders production of will	,,	s. 46.
Will of personalty by British subject ; admission of, to probate, etc., in United Kingdom		24-5 V. c. 114.
Avoidance, revocation, alteration, attestation and revival of	Act	10, 1865, ss. 48, 49, 54 to 60.
Construction of	,,	ss. 61 to 98.
What bequests are void	,,	ss. 99 to 105, 113, 114.
Vesting of legacies	,,	ss. 106 to 108.
Onerous bequests	,,	ss. 109, 110.
Contingent bequests	,,	ss. 111, 112.
Conditional bequests	,,	ss. 113 to 124.
Bequests with directions as to application or enjoyment	,,	ss. 125 to 127.
Bequest to executor	,,	s. 128.
Specific legacies	,,	ss. 129 to 136.
Demonstrative legacies	,,	ss. 137, 138.
Ademption of legacies	,,	ss. 139 to 153.
Payment of liabilities in respect of the subject of a bequest	,,	ss. 154 to 157.
Bequest of thing described in general terms ; executor's duty to purchase thing to answer description	,,	s. 158.
Bequest of the interest or produce of a fund	,,	s. 159.
Bequest of annuity	,,	ss. 160 to 163.

SUCCESSION—*contd.*

6. Wills—*contd.*

Legacies to creditors and portioners	Act10,1865,ss.164to166.
Election in case of bequests	„ ss.167to177.

7. Gifts in contemplation of Death.

Provisions as to	„ s.178.

8. Special and Local.

(*a*) CASES GOVERNED BY ENGLISH LAW.

Provisions as to wills of persons whose personal property cannot, by the law of England, pass to their representatives without probate or letters of administration obtained in one of Her Majesty's Supreme Courts of Judicature	Act25,1838,ss.1to29,31.
Act 25, 1838, not to extend to any will made before 1st February 1839	„ s.31.
„ „ repealed, except as to wills made before 1st January 1860	Act8,1868.
Provisions as to descents taking place on death of persons dying on or after 1st July 1840	Act30,1839,ss.1to11.
Saving of limitations made before 1st July, 1840, to the heirs of a person then living	„ s.12.
Act 30, 1839, not to affect inheritances of land which are not subject to the English law of inheritance	„ s.13.
Descent how traced on failure of heirs of purchaser, etc., in case of intestacy occurring before 1st January 1866	Act28,1866,s.29.
Act 30, 1839, repealed, except as to intestacies occurring before 1st January 1866	Act8,1868.

(*b*) PÁRSÍS.

Ss. 20 to 24 and 26 to 43 of Act 10, 1865, not to apply to	Act21,1865,s.8.
Special provisions as to intestate succession among	„ ss.1to7,Schs. I,II.

(*c*) HINDUS, MUHAMMADANS, ETC.

When proprietor of land dies intestate leaving heirs, they to succeed to the shares to which they are entitled under Hindu or Muhammadan law	(Ben.,E.B.&A.)Ben.Reg. 11,1793,s.2. (Benares)Ben.Reg.44. 1795,s.2.
Right of such heirs to hold their shares as a joint undivided estate or to make partition; assessment of Government revenue on partition being made	(Ben.,E.B.&A.)Ben.Reg. 11,1793,ss.3,4. (Benares)Ben.Reg.44, 1795,ss.3,4.
Right of Hindu or Muhammadan proprietor to bequeath land to one or more persons to the exclusion of others	(Ben.,E.B.&A.)Ben.Reg. 11,1793,s.5. (Benares)Ben.Reg.44, 1795,s.6.
Ben. Reg. 11, 1793, not to affect established usage in certain districts under which land devolves on intestacy to a single heir	(Ben.,E.B.&A.)Ben.Reg. 10,1800. (Ben.)Ben.Reg.12,1805. s.36.
Ben. Reg. 44, 1795, not to affect past successions by single heir	(Benares)Ben.Reg.44. 1795,s.5.

SUCCESSION—*concld.*

8. Special and Local—*concld.*

(c) HINDUS, MUHAMMADANS, ETC.—*concld.*

Wills of Hindus to have no legal force unless in conformity with Hindu law . . . . . Mad.Reg.5,1829,s.4.

Succession to separate property of intestate Hindu domiciled in Madras Presidency, and following the Marumakkatayam or the Aliyasantana Law of Inheritance . . . . . Mad.Act4,1896,ss.1,23,24.

Wills of persons domiciled in the Madras Presidency and governed by the Marumukkatayam or the Aliyasantana Law of Inheritance : capacity to make will : revocation of wills . . Mad.Act5,1898,ss.3to7.

Wills of persons governed by the Marumakkatayam or Aliyasantana Law of Inheritance, wherever domiciled :

Execution of, and incorporation of papers by reference . . ,, ss.8to10.

Attestation, revocation, alteration, revival of . . . ,, ss.9(3),11to14.

Soldiers, mariners, etc. ; execution and revocation of wills by . . ,, s.15.

Mad. Act 5, 1898, extends to whole of the Presidency of Madras . ,, s.1.

,, ,, not to affect Hindu Wills Act, 1870 . . ,, s.1,proviso.

Definitions . . . . . ,, s.2.

Act 10, 1865, does not apply *proprio vigore* in case of Hindus, Muhammadans or Buddhists . . . . . Act,10,1865,s.331.

Power to exempt race, sect or tribe from operation of Act 10, 1865 . . . . . ,, s.332.

Ss. 46, 48 to 51, 55, 57 to 77, 82, 83, 85, 88 to 103 and 106 to 177 of Act 10, 1865, applied to certain wills of Hindus, Jainas, Sikhs and Buddhists . . . . . Act21,1870,s.2.

Marriage not to revoke any such will . . . . . Act 21, 1870, not to affect right of maintenance, laws of adoption or intestate succession, etc. . . . . Act21,1870,s.3.

Application of definitions in Act 10, 1865, with modifications . ,, s.6.

(d) TALUQDARS AND GRANTEES IN OUDH.

See TALUQDARS AND GRANTEES, OUDH.

(e) INTIMRARDARS, IN AJMERE.

See ISTIMRARDAR.

9. Miscellaneous.

Powers of Court of Wards when succession to ward's property is disputed. *See* COURT OF WARDS, A, 1 ; B, 2 ; C, 2.

Administration of estate of deceased. *See* ADMINISTRATION.

SUICIDE.

Punishment for abetment or attempt . . . . . Act45,1860,ss.305,306, 309.

No forfeiture of goods of . . . . . (Bo.,Cal.)Act4,1871,s.30.

SUIT ; definitions of. *See* WORDS AND PHRASES.

SUITS VALUATION ACT, 1887. (*See* VALUATION OF SUITS) . Act7,1887.

SUMMARY TRIAL.

See CRIMINAL PROCEDURE (INDIAN), 8 (5).

SUNDARBANS ACT, 1905. (*See* SUNDARBANS) . . . . Ben.Act1,1905.

SUNDARBANS.

Abolition of office of Commissioner . . . . . Ben.Act1,1905.

Declared to be property of State; Government declared competent to make grants, assignments and leases and to take measures for clearance and cultivation; rights of grantees; compensation for interference with valuable rights . . . Ben.Reg.3,1828,s.13(*1*).

Transfer to Collectors of functions formerly vested in the Commissioner of the Sundarbans . . . . . Ben.Act1,1905.

Embankments in. *See* EMBANKMENT, I, A.

SUPERANNUATION ACT, 1834.[1] (*See* ARMY; NAVY; PENSION) . . . . . 4-5W.4,c.24.

" " 1860.[1] (*See* GOVERNMENT OF INDIA, PENSION) . . . . . 23-4V.c.89.

" " 1887. (*See* PENSION) . . . 50,21V.c.67.

" " 1892. (*See* GOVERNMENT OF INDIA; PENSION) . . . . . 55-6V.c.40.

SUPREME COURTS OFFICERS TRADING ACT, 1848. (*See* HIGH COURT) . . . . . Act15,1848.

SURAT DISTRICT.

Certain lands ceded by Gaekwar of Baroda for Bombay, Baroda and Central India Railway incorporated in . . . . . Bom.Act1,1862.

SURETY—*See* CIVIL PROCEDURE 2; GUARANTEE.

SURVEY.

Definitions of "survey," "survey-mark," etc. *See* WORDS AND PHRASES.

SURVEY ACT (BENGAL), 1875. } (*See* SURVEY OF LAND) . { Ben.Act5,1875.
" " (CALCUTTA), 1887. } Ben.Act1,1887.

SURVEY AND SETTLEMENT ACT (BOMBAY). (*See* LANDLORD AND TENANT, V, 2; LAND-REVENUE, VII, B) . . . . Bom.Act1,1865.

SURVEY OF LAND.

1. Bengal (Except Sambalpur District) and Eastern Bengal generally.

Ben. Act 5, 1875, extends to whole of Bengal (except Sambalpur District) and Eastern Bengal . . . . Ben.Act5,1875,s.1.

" " " declared in force in Angul District . . . Reg.1,1894,s.3.

Definitions . . . . . Ben.Act5,1875,s.2.

Power of Local Government to order survey of lands and demarcation of boundaries of estates, etc., therein; new survey under Act 9, 1847, not to be made till ten years after previous survey " s.3.

Power to direct new survey of riparian lands . . . . . Act9,1847,ss.3,4.

Power to appoint Superintendent of survey and subordinate officers; their powers; power to direct Collector to perform duties under Act . . . . . Ben.Act5,1875,s.4.

Power to require attendance and aid of interested persons in pointing out boundaries, clearing boundary line, etc.; payments to be made for labour, etc. . . . . " ss.5to10.

Signature of maps and papers showing boundary as defined; invitation and disposal of objections to boundary . . . . " ss.11to13.

[1] This short title was given by 59 & 60 Vict. c. 14.

SURVEY OF LAND—*contd.*

1. Bengal (except Sambalpur District) and Eastern Bengal generally—*contd.*

Erection and maintenance of temporary and permanent boundary-marks—		
at cost of occupants of land	Ben. Act 5, 1875,	ss. 14 to 18, 20, 56.
by occupant of land	,,	s. 21.
Zamindars, etc., bound to preserve boundary-marks and give notice of injury, etc.	,,	s. 19.
Apportionment and recovery of expenses incurred in respect of boundary-marks	,,	ss. 22 to 39.
Power to determine boundary and erect boundary-marks in case of dispute while survey is in progress	,,	ss. 40 to 46.
Power to take possession of land pending settlement of dispute	,,	s. 42.
Power to refer dispute to arbitration	,,	s. 43.
Joint and several liability of joint zamindars or tenure-holders in respect of liabilities imposed by Act; recovery by co-sharer of sums paid by him for other co-sharers	,,	s. 47.
Service of notices	,,	s. 48.
Mere irregularities not to invalidate proceedings	,,	s. 49.
Power to enforce attendance of witnesses, etc.	,,	s. 50.
,, impose daily fine for non-compliance with requisition	,,	s. 51.
Penalty for not giving notice of injury to boundary-mark	,,	s. 52.
,, removing, etc., boundary-mark	,,	s. 53.
Rewards to informers	,,	s. 54.
Recovery of fines	,,	s. 55.
,, other sums due to Government	,,	s. 57.
Supervision and control by higher officers; appeals from orders	,,	ss. 58 to 61.
Suit to set aside order barred unless appeal first brought under Act; exception in case of incapacitated persons	,,	s. 62.
Power of Board of Revenue to make rules for working of Act	,,	s. 63.
Survey under the Bengal Tenancy Act, 1885. *See* LANDLORD AND TENANT, III, A; IV, A.		

2. Calcutta, and Municipalities in Bengal, Eastern Bengal and certain places in Assam.

Ben. Act 1, 1887, extends to Town of Calcutta	Ben. Act, 1, 1887,	s. 1.
Ben. Act 1, 1887, may be extended by Local Government to suburbs included in Calcutta for municipal purposes	,,	s. 27.
Ben. Act 1, 1887; application of, to provincial municipalities	Ben. Act 3, 1884,	s. 223A.
Definitions	Ben. Act 1, 1887,	s. 2.
Power of Local Government to order a survey of lands and to appoint Superintendent and Assistant Superintendents of Survey; powers of such assistants	,,	s. 3.
Power of Superintendent to enter on land and require attendance of owners to point out boundaries and give information	,,	ss. 4, 5.
Power of Superintendent to proceed with survey if owner does not appear	,,	s. 6.
Power of Assistant Superintendent to determine boundary in case of dispute while survey in progress; appeal from his order	,,	ss. 7 to 11,

SURVEY OF LAND—*contd.*

2. Calcutta and Municipalities in Bengal, Eastern Bengal and certain places in Assam —*contd.*

Power of Assistant Superintendent to refer such dispute to arbitration; procedure	Ben. Act 1, 1887,	ss. 12 to 17.
Power of Superintendent to erect temporary or permanent boundary-marks on surveyed land	,,	s. 18.
Maintenance of temporary boundary-marks by owner or occupier of land till survey completed	,,	s. 19.
Deposit of survey documents in Municipal Office in completion of survey	,,	s. 20.
Approval of survey by Local Government, after decision of objections	,,	ss. 20, 21.
Limitation of suits to set aside demarcation of boundaries	,,	s. 22.
Power of Local Government to make rules for working of Act	,,	s. 23.
Service of notices	,,	s. 24.
Penalty for failure to comply with requisition	,,	s. 25.
Mere irregularities not to invalidate proceedings	,,	s. 26.

3. Madras Presidency.

Mad. Act 4, 1897, extends to whole Presidency of Madras	Mad. Act 4, 1897,	s. 1(2).
Definitions	,,	s. 3.
Appointment of Survey-officers	,,	s. 4.
Power of Local Government to order survey of Government land	,,	ss. 5, 7.
Survey-officer to issue notification requiring attendance and aid of interested persons in pointing out boundaries, clearing boundary line, providing survey-mark and labour	,,	s. 6.
Power of Survey-officer to proceed with survey and employ hired labour on failure of registered holders and charge cost to them; recovery of cost; appeal against order as to costs	,,	ss. 7, 10, 16.
Cost of survey-operations; order apportioning and charging cost to registered holders; appeal against order as to costs; recovery of costs	,,	ss. 9, 10, 16.
Survey-marks, duty of registered holder, etc., to provide; power of Survey-officer to provide or make: maintenance, repair and renewal of; recovery of cost from registered holder; appeal against order as to cost	,,	ss. 6(3)(c), 7, 8, 10, 14, 16.
Duty of Village-officers to prevent destruction, alteration, etc., of survey-marks	,,	s. 15.
Boundaries: laying down by Survey-officer; appeal; civil suit to establish right	,,	ss. 11, 12, 13.
Completion of survey to be notified	,,	s. 11(4).
Survey of estates: application of provisions of ss. 5 to 16; cost of survey; protection of survey-marks	,,	ss. 17 to 21.
Power to enter upon, examine, measure land, summon witnesses and require production of documents	,,	ss. 28, 29.
Power to refer boundary dispute to arbitration: procedure	,,	s. 30.
Person interested in land as co-owner, mortgagee, lessee, etc., may pay expenses of survey and acquire charge on land	,,	s. 31.
Power to make rules	,,	s. 32.
Bar of suit or proceeding for anything in good faith purporting to be done under Act	,,	s. 33.

SURVEY OF LAND—*contd.*

4. Other Provinces.

See LAND-REVENUE, III, A, 3 (*b*); VII, A, 4; B; C.; VIII, 4. XI, 3 (*a*), (*b*), XII, 4, XV, 4 (*d*), XVI, 3, 4, (*c*).

SURVEYORS OF SHIPS. *See* MERCHANT SHIPPING, 11 (*c*).

SYLHET JHUM REGULATION, 1891. (*See* SHIFTING CULTIVATION) . . . . . Reg.3,1891.

SYLHET AND CACHAR RURAL POLICE REGULATION, 1883. (*See* ARMS, AMMUNITION AND MILITARY STORES; CRIMINAL PROCEDURE; EXCISE; FOREST; INFECTIOUS DISEASE; OPIUM; POLICE III; REGISTRATION OF BIRTHS, ETC.) . . Reg.1,1883.

TAJ MAHALS' PENSION ACT, 1881 . . . . . Act1,1881.

TALUQDARS ACT (GUJARAT), 1888. (*See* LAND-REVENUE VII, C) . . . . . Bom.Act6,1888.

TALUQDARS RELIEF ACT (OUDH). (*See* INCUMBERED ESTATES, V) . . . . . Act24,1870.

TALUQDARS RELIEF REGULATION (AJMERE), 1872.[1] (*See* INCUMBERED ESTATES, I) . . . . . Reg.4,1872.

TALUQDARS IN AHMEDABAD. *See* INCUMBERED ESTATES, II.

TALUQDARS AND GRANTEES, OUDH.

Definitions . . . . . (O.)Act1,1869,s.2(am. U.P.Act3, 1910,s.2).

Lists of; preparation, publication and amendment of . . ,, ss.8,9.

,, judicial notice to be taken of . . . . . ,, s.10.

To have permanent, heritable and transferable rights in their estates; restriction of application of Crown Grants Act, 1895; saving as to certain redemption-suits . . . . . ,, ss.3to6,Schs. I,II(s.3am.U.P. Act3,1910,s.3).

Power of, to secure devolution of heirlooms along with estate . ,, s.7.

Transfers and bequests of estate of, or interest therein:

Power to make . . . . . ,, s.11(am.U.P. Act3,1910,s.4).

Rule against perpetuity . . . . . ,, s.12.

Gift or bequest how affected in certain cases . . . ,, ss.13,13A(sub. andins.U.P.Act 3,1910,ss.5,6).

Transfer other than gift to be effected only by instrument signed by transferor, attested by two witnesses and registered . . . . . ,, s.16(sub.U.P). Act3,1910,s.9).

Rights and powers under transfer or bequest—

where transferee or legatee is taluqdar or grantee or is related in certain ways to transferor or testator . . ,, s.14(sub.U.P Act3,1910,ss.7,8).

in other cases . . . . . ,, s.15(sub.U.P. Act3,1910,ss.7,8).

Requisites to validity of gift or bequest to religious or charitable use . . . . . ,, ss.18(sub.U.P. Act3,1910,ss. 11,20).

Ss. 49 to 51, 54, 55, 57 to 77, 82, 83, 85, 88 to 98 of Indian Succession Act (10 of 1865) applied to wills of . . . ,, s.19(am.U.P. Act3,1910,s.12).

Will not revoked by marriage . . . . . .

[1]This short title was given by Notificat on No. 13, dated 11th October 1875, in Gazette of India, 1875, Pt. I, p. 529.

TALUQDARS AND GRANTEES, OUDH—*contd.*

Intestate succession to estate and property of: special rules for; power to revert to ordinary rules	Act1,1869,ss.21to23,30,31, 31A(s.21am.s. 22,sub,ss.30,31 am.,s.31A,ins. U.P.Act3,1910,ss. 13,14,17,18).
Maintenance; right of surviving relatives of last holder of estate to maintenance out of estate	,, ss.24to28.
,, and compensation; enforcement of certain awards as to	,, s.33.
Muhammadan; right of adoption conferred on	,, s.29(am.U.P. Act3,1910,s.15).
Requirements for valid adoption	,, s.29A(ins.U.P. Act3,1910,s.16).
Act not to affect rights of creditors	,, s.32(am.,U.P. Act3,1910,s.19).
Power to declare property to be governed by Act	,, s.32A(ins.U.P. Act3,1910,s.20).
Retrospective operation of certain amendments made by U. P. Act 3, 1910	U.P.Act3,1910,s.21.

See also INCUMBERED ESTATES, V; SETTLED ESTATES (OUDH).

TALUQDARS, THAKURS AND JAGIRDARS, AJMERE.

Hearing of suits involving questions regarding succession to estates of	Reg.1,1877,ss.34to37.

See also INCUMBERED ESTATES, I.

TANJORE POLICE REGULATION, 1816. (*See* POLICE, I)	Mad.Reg.1,1816.
TARIFF ACT (INDIAN), 1894. (*See* CUSTOMS)	Act8,1894.

TAXES.

Acts 20, 1839, and 19, 1844, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts	Act15,1874,s.5.
Power of Local Government to prohibit levy of haqqs, fees and customs by private individuals, and collection of alienated shares of revenue after abolition or relinquishment thereof by Government	(Bom.)Act20,1839,s.1.
Such orders of prohibition not to be questioned in Court	,, s.2.
Punishment for levying or collecting such haqqs, etc., after prohibition	,, s.3.
Abolition of town-duties, kasab veras, muhtarafas, balutch taxes and cesses of every kind on trades or professions not forming part of the land-revenue	(Bom.)Act19,1844.
Bom. Act 1, 1883, to apply only in notified areas	Bom.Act1,1883,s.2.
Power to impose tax on vehicles and animals for construction and maintenance of roads; recovery of tax; application of proceeds	,, ss.3,4,6.
Such tax not to be levied in municipality or cantonment where there is a similar tax; contributions from funds of such places for objects of Act	,, s.5.
Exemptions from tax	,, s.8.
Power to impose hoe-tax or house-tax in lieu of land-revenue	(As.)Reg.1,1886,s.47.

In cantonments. *See* CANTONMENT, 2.

At fairs. *See* OUDH, 6.

TAXES—*contd.*

In areas subject to local Self-Government Boards:

See under LOCAL SELF-GOVERNMENT, (*Sub-heading* "Finance and Property.")

In municipalities:

See under MUNICIPALITY, (*sub-heading* "Taxation.")

In Municipal Unions and Station, Assam. *See* MUNICIPALITY, IV, B. C.

In British Baluchistan bazars. *See* BRITISH BALUCHISTAN II, 3.

In Chittagong Hill Tracts; power to make rules for levy of . Reg.1,1900,s.18(2)(*l*).

In Upper Burma Hills. *See* CHIN HILLS, 6; KACHIN HILLS, 6.

Port-dues, fees and charges. *See* PORT, I, 5; II.

Leviable by Port Commissioners or Trustees:

See under PORT COMMISSIONERS, (*sub-heading* "Finance.")

For maintenance of Chaukidars. *See* POLICE, II, A, 3, 4; B, 3; PUNJAB, 4.

Water-rates. *See* IRRIGATION.

See also ADEN; CAPITATION-TAX; COURT-FEES; CUSTOMS (INLAND); CUSTOMS, SEA, 1, 2 (*a*); DRAINAGE; EXCISE; FIRE, 3; FOREST, 5; INCOME-TAX; LAND-REVENUE; LOCAL RATES AND CESSES; OPIUM, I; PANDHARI-TAX; PATWARIS AND KANUNGOS; SALT; STAMPS; STONE; TEA CESS; THATHAMEDA-TAX; TOBACCO; TOLLS; TOUNGYA-TAX; TRIBUTE; VILLAGE, E. 2.

TEA-CESS ACT (INDIAN), 1903 . . . . . Act9,1903.

TEA-CESS:

Duty on export of Indian tea . . . . . Act9,1903,s.3.

Application of proceeds of tea-cess . . . . . ,, s.5.

Surplus to vest in Crown . . . . . ,, s.10.

Tea-Cess Committee; constitution of . . . . . ,, s.4.

Accounts to be kept by . . . . . ,, s.6.

Power to make rules . . . . . ,, s.7.

Act 8, 1894, s. 5, amended . . . . . ,, s.8.

Local extent and duration of Act 9, 1903 . . . . . ,, ss.1,9.

TELEGRAPH ACT (INDIAN), 1885 . . . . . Act13,1885.

TELEGRAPH.

1. Preliminary.

Act 13, 1885, extends to whole of British India and, as regards British subjects, to Native States . . . . Act13,1885,s.1.

,, ,, declared in force in—

the Santhál Parganas . . . . . Reg 3.1872,s.3,Sch.

Upper Burma generally (except the Shan States) Act13,1898,s.4,Sch.1.

British Baluchistan . . . . . Reg.1,1890,s.3.

Definitions . . . . . Act13,1885,s.3.

2. Working.

Exclusive privilege of Governor General in Council of establishing and working; his power to grant and revoke license for those purposes . . . . . ,, ss.4,8.

Power of Government, on emergency, to take possession of licensed telegraph or intercept messages . . . . . ,, s.5.

TELEGRAPH—*contd.*

2. Working—*contd.*

Production in criminal proceedings of telegrams in custody of Telegraph Authorities . . . . . Act5,1898,s.95.
Establishment and maintenance of, by Government, on railway . Act13,1885,s.6.
On railway. *See* RAILWAY, 6 (*a*).
Power of Government to make rules for conduct of . . . „ s.7.
Limitation of responsibility for loss or damage caused by telegraph officer . . . . . „ s.8.
Placing and maintaining lines and posts: General powers for . . . . . „ ss.10,11,18.
Special powers and procedure where property affected is under control of Local Authority . . „ ss.12to15.
„ „ „ „ in other cases . . . . . „ ss.16.17,34.
Protection of lines from injury by use of electricity . . . . Act9,1910,s.32.
Offences and penalties . . . . . Act13,1885,ss.20to32.
Offences, wherever committed, may be tried in Presidency-town Act5,1898,s.184
Power to employ additional police where mischief to telegraph repeatedly committed; recovery of cost from inhabitants . Act13,1885,s.33.
Modification of Act in its application to Presidency-towns and Rangoon . . . . . „ s.34.
See also ELECTRICITY, RED SEA AND INDIA TELEGRAPH COMPANY; SUBMARINE TELEGRAPH.

TEMPLE FUNDS MANAGEMENT REGULATION (COORG), 1892. (*See* ENDOWMENT, 2) . . . . . Reg.4,1892.

TENANCY ACT (BENGAL), 1885. (*See* LANDLORD AND TENANT) Act8,1885.
„ „ (CENTRAL PROVINCES), 1898. Act11,1898.
„ „ (PUNJAB), 1887. Act16,1887.
„ REGULATION (HAZARA), 1887. Reg.13,1887.

TENANT.
Definition of "tenancy," "tenant," "tenure," etc. *See* WORDS AND PHRASES.
See also LANDLORD AND TENANT.

TENURES ACT (CHOTA NAGPUR), 1869. (*See* LANDLORD AND TENANT) III, B . . . . . Ben.Act2,1869.

TERI DUES REGULATION, 1902. (*See* LAND-REVENUE XV) . Reg.4,1902.

TERMINALS. *See* RAILWAY, 5 (*b*).

TERRITORIAL AND RESERVE FORCES ACT, 1907. (*See* ARMY RESERVE) . . . . . 7Edw.7,c.9.

TERRITORIAL WATERS JURISDICTION ACT, 1878 *See* CRIMINAL LAW AND PROCEDURE (ENG); PIRACY; SEA; TERRITORIAL WATERS . . . . . 41-2V.c.73.

TERRITORIAL WATERS.
Trial of offence committed within territorial waters of Her Majesty's dominions, though committed on or by means of foreign ship; saving as to trial of pirates; definition of territorial waters, etc. . . . . 41-2V.c.73.
See also FAIRWAYS; SALT, VI.

THAKURS.

Ajmere. *See* TALUQDARS, THAKURS AND JAGIRDARS.

Broach and Kaira. *See* INCUMBERED ESTATES, III.

THATHAMEDA-TAX, UPPER BURMA.

Levy and assessment of . . . . . Reg.3,1889,s.22.

Recovery of . . . . . „ ss.37to46.

Bar to jurisdiction of Civil Courts in matters relating to . . „ s.53.

THEFT. *See* COFFEE ; CRIMINAL LAW (INDIAN), 15.

THUG.

Punishment for being . . . . . Act45,1860,ss.310,311.

TI. *See* GAMING, 4.

TIMBER. *See* FOREST.

TIME. *See* LIMITATION OF TIME.

TOBACCO, BOMBAY TOWN.

"Town of Bombay" includes the Islands of Bombay and Colaba Act4.1857,s.21.

Tobacco to be imported only by sea and landed only at places prescribed by Local Government . . . . . „ s.7.

Municipal import-duty ; rate of . . . . . „ s.2.

„ „ „ not payable on small quantities for importer's private consumption . . „ s.8.

„ „ „ when payable . . . . . „ ss.3,4.

„ „ „ to be remitted on re-exportation . . „ s.4.

„ „ „ powers for enforcing payment of . . „ s.6.

Warehousing . . . . . „ ss.4,5.

Permit required for transport ; exceptions . . . . „ ss.9,10 Sch.

Licensing of retail sale . . . . . „ ss.11to13.

Monthly returns of stock held by retail dealers . . . . „ s.14.

Record by retail dealers of tobacco received . . . . „ s.15.

Powers of search, seizure and arrest . . . . . „ ss.16,17.

Penalties for breach of Act . . . . . „ ss.14,15,18.

Confiscation of tobacco, etc., when Act contravened . . . „ ss.18,20.

Any Presidency Magistrate to have jurisdiction under Act . . „ s.20.

TODA GIRAS ALLOWANCES ACT, 1887 . . . . . Bom.Act7,1887.

TODA GIRAS ALLOWANCES.

Definition of . . . . . Bom.Act7,1887,s.2.

To be held hereditarily in male descent . . . . . „ s.3.

Restriction on alienation of . . . . . „ s.4.

„ attachment or sale of, in execution of decree . „ s.5.

Act not to apply to certain allowances already alienated . . „ s.6.

TOKENS, METAL. *See* COINAGE, II, 3.

TOLLS ON ROADS AND BRIDGES ACT AMENDMENT ACT, 1881 . . . . . Bom.Act5,1881.

TOLLS.

1851. Act 8 (Tolls on Roads and Bridges).

1864. Act 15 (Tolls on Roads and Bridges).

„ Ben. Act 5, ss. 5 to 10 (Canals).

1872. Reg. 3, s. 3 (Laws, Santhál Parganas).

1874. Reg. 9, s. 3 (Laws, Arakan Hill District).

1875. Act 20, s. 3 (Laws, Central Provinces).

TOLLS—*contd.*

1875. Bom. Act 3 (Tolls on Roads and Bridges, Bombay Presidency).
1883. Bom. Act 1, s. 7 (Highways, Bombay).
1884. Bom. Act 1 (Local Boards, Bombay).
1888. Act 8 (Tolls on Roads and Bridges).
1892. Act 8 (Tolls on Lansdowne Bridge, etc.).
1898. Act 13, s. 4 (Laws, Burma).
1901. Act 2 (Tolls, Army).

Act 2, 1901, extends to whole of British India	Act2,1901,s.1.
Definitions	,, s.2.
Exemption of men, property, etc., belonging to army from tolls	,, ss.3,4.
Compensation; claims to how dealt with	,, s.6.
Penalty for demanding toll in contravention of Act 2, 1901	,, s.5.
Rules; power to make	,, s.7.

1. On Roads and Bridges.

Act 8, 1851, applies to Bengal, (except Sambalpur District) and Eastern Bengal, Coorg, [1] Madras Presidency, United Provinces [2]	Act8,1851,s.2(pt.rep.Act 8,1888,s.5).
,, ,, may be extended to other Provinces by Local Government	Act15,1864,s.3.
,, ,, declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3,Sch.
the Arakan Hill District	Reg.9,1874,s.3.
the Central Provinces and Sambalpur District	Act20,1875,s.3.
Upper Burma generally (except the Shan States) with a modification	Act13,1898,s.4,Sch.1.
,, ,, repealed in Bombay Presidency	Bom.Act3,1875,s.1.
Act 15, 1864; power to extend it to any place	Act15,1864,s.3.
,, ,, declared in force in—	
the Santhál Parganas	Reg.3,1872,s.3,Sch.
the Central Provinces and Sambalpur District	Act20,1875,s.3.
,, ,, Upper Burma except Shan States.	Act13,1898,s.4,Sch.1.
Acts 8, 1851, and 15, 1864, declared in force in Punjab and N.-W. Fr.	Act8,1888,s.1.
Act 8, 1892, extends to the whole of British India	Act8,1892,s.1.
Definition of "Local Government"	Act15,1864,s.4. Act8,1888,s.2(*1*).
Power of Local Government to impose tolls on roads or bridges made or repaired at Government expense	Act8,1851,s.2,Sch. Act15,1864,s.1,Sch. Bom.Act3,1875,s.3,Sch.
Exemptions from payment of tolls	Act8,1851,s.4. Bom.Act3,1875,s.5.
Power to levy tolls on Lansdowne Bridge and other roads and bridges	Act8,1892,ss.2,4.
Tolls not to be levied under Bom. Act 3, 1875, in areas subject to Bom. Act 1, 1883 (Highways)	Bom.Act1,1883,s.7.
Toll Collectors:	
Appointment, responsibilities and powers of	Act8,1851,ss.2,3. Bom.Act3,1875,ss.3,4.

[1] Acts 8, 1851, and 15, 1864, have been extended to Coorg by notification under the Scheduled Districts Act, 1874.
[2] Acts 8, 1851, and 15, 1864, have been extended to Oudh by notification.

TOLLS—*concld.*

1. On Roads and Bridges—*concld.*

Toll Collectors—*concld.*

Police-officers to assist . . . . . Act8,1851,s.5. Bom.Act3,1875,s.6.

Penalty for unauthorised levy of tolls, etc. . . . . Act8,1851,s.6. Bom.Act3,1875,s.7.

Exhibition of table of tolls, etc. . . . . Act8,1851,s.7. Bom.Act3,1875,s.8.

Power to compound for tolls . . . . . Act15,1864,s.2. Bom.Act3,1875,s.9.

" lease levy of tolls ; powers, etc., of lessee . . . Bom.Act3,1875,ss.10,11.

Application of proceeds of tolls . . . . . Act8,1851,s.8. Bom.Act3,1875,s.12. Bom.Act1,1884,s.44(*d*).

See also HOWRAH BRIDGE.

2. Miscellaneous.

On canals :

Bengal . . . . . Ben.Act5,1864,ss.5to10.

Burma. *See* CANAL.

Madras. *See* CANAL, ; MADRAS IRRIGATION AND CANAL COMPANY.

On ferries. *See* FERRY.

On Madras piers. *See* PORT, II, C.

On railway ferries, roads and bridges. *See* RAILWAY, 6 (*a*).

On rivers. *See* GANGES ; KARATOYA RIVER.

On tramways. *See* TRAMWAY, 4 (*b*), 5 ; TRAMWAYS, A, 4 (*b*), 5.

In areas subject to Local Self-government Boards, Madras. *See* LOCAL SELF-GOVERNMENT, VII, 5.

In municipalities :

See under MUNICIPALITY, (*sub-heading* "Taxation.")

Leviable by Port Commissioners or Trustees :

See Under PORT COMMISSIONERS, ETC., (*sub-heading* "Finance.")

TORTS.

Act 12, 1855, declared in force—

throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.

in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

in Upper Burma generally (except the Shan States) . . Act13,1898,s.4,Sch.1.

in Angul district . . . . . Reg.1,1894,s.3.

Act 13, 1855, declared in force—

throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.

in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

in the Arakan Hill District . . . . . Reg.9,1874,s.3.

in Upper Burma generaly (except the Shan States) . . . Act13,1898,s.4,Sch.1.

in Angul District . . . . . Reg.1,1894,s.3.

Action by or against executor, administrator or representative in respect of wrong done during life of deceased occasioning pecuniary loss to his estate . . . . . Act12,1855.

Action for compensation for loss occasioned by death due to actionable wrong . . . . . Act13,1855.

TOUNGYA CULTIVATION. *See cross-references from* SHIFTING CULTIVATION, 3.

TOUNGYA TAX. *See* LAND-REVENUE, IX, 2.

TOUTING. *See* LEGAL PRACTITIONER, 1.

TOWN NUISANCES ACT, 1889. *See* CRUELTY TO ANIMALS, 4; DOG; GAMING; NUISANCE; POLICE, 1; STREETS, THOROUGHFARES AND PUBLIC PLACES . . . . . Mad.Act3,1889.

TOWNS ACT (BURMA), 1907 . . . . . Bur.Act3,1907.

TOWNS.

1. Burma.

Bur. Act 3, 1907, not to be applied to cantonment without previous consent of Governor General in Council . . . . Bur.Act3,1907,s.4,proviso.

Division of towns into wards and blocks, and appointment, etc., of headmen and elders . . . . . ,, s.5.

Headmen and elders:

Duties of, as to reporting and preventing offences and other matters . . . . . ,, ss.6,7.

Penalty on, for breach of duty . . . . . ,, s.8.

Obligation on residents to assist headmen; penalty . . Bur.Act3,1907,s.9.

Penalty for holding, etc., unlicensed *pwé*, billiard saloon or other place of public resort for game or amusement . . ,, ss.11,11A.

Finality of orders under Act . . . . . ,, s.12.

Power of Local Government to make rules for purposes of Act; publication of rules . . . . . ,, ss.13,14.

Report of arrival or departure of strangers in or from notified towns in Upper Burma; penalty . . . . . ,, s.10.

2. Madras.

See NUISANCE; GAMING.

TRACKING OFFENDERS. *See* AJMERE, 3; PUNJAB, 4.

TRADE. *See* OFFENSIVE AND DANGEROUS TRADES.

TRADE DESCRIPTION. *See* MERCHANDISE MARKS.

TRADE MARKS ACT, 1905. (*See* EVIDENCE I; TRADE MARK) 5Edw.7,c.15.

TRADE MARKS. *See also* EVIDENCE, I; MERCHANDISE MARKS.

Saving of right to make certain assignments of, in British possessions . . . . . 5Edw.7,c.15,s.22.

International and colonial arrangements . . . . . ,, s.65.

TRAFFIC FACILITIES ON RAILWAYS. *See* RAILWAY, 5.

TRAMWAYS ACT (INDIAN) . . . . . Act11,1886.

,, ,, (BENGAL), 1883 . . . . . Ben.Act3,1883.

,, ,, (BOMBAY), 1874 . . . . . Bom.Act1,1874.

,, ,, (CALCUTTA), 1880 . . . . . Ben.Act1,1880.

,, ,, ,, 1894 . . . . . Ben.Act3,1894.

,, ,, (KARACHI), 1883 . . . . . Bom.Act2,1883.

,, ,, AMENDMENT ACT (BOMBAY), 1895 . . Bom.Act2,1895.

TRAMWAY.

1865. Act 3, s. 7 (Carriers).
1880. Ben. Act 9, ss. 6, 8 (Cesses).
1883. Ben. Act 3 (Tramways).
1886. Act 11 (Tramways).
1890. Act 9, s. 146 (Railways).
1898. Act 13, s. 4 (Laws, Burma).
1902. Act 4 (Tramways).

TRAMWAY—*contd.*

1. Preliminary.
2. Order authorising construction.
3. Construction and Maintenance.
4. Working.
5. Offences, Penalties, etc.
6. Discontinuance.
7. Miscellaneous.

1. Preliminary.

Act 11, 1886, declared in force in Upper Burma except Shan States	Act13,1898,s.4,Sch.1.
Definitions	Act11,1886,s.3. Ben.Act3,1883,s.2.

2. Orders authorizing construction.

Making of, by Local Government, subject to certain consents; contents and publication of order	Act11,1886,ss.4to7. Ben.Act3,1883,ss.3to5,8.
Revocation, amendment, etc., of	Act11,1886,s.8. Ben.Act3,1883,s.6.
Costs of	Act11,1886,s.24(*b*).
Deposit in respect of	,, s.24(*c*).
Power to authorise joint work by Local Authorities	,, s.9. Ben.Act3,1883,s.7.
Cesser of powers granted by	Act11,1886,s.10. Ben.Act3,1883,s.9.

3. Construction and Maintenance.

Tramway not to be constructed except under Act	Act11,1886,s.47.
,, to be constructed and maintained in manner provided by order	,, s.11. Ben.Act3,1883,s.14.
Inspection before opening	Act11,1886,s.12. Ben.Act3,1883,s.20.
Breaking up streets, etc.	Act11,1886,s.7(*c*). Ben.Act3,1883,s.15.
Promoter to keep roads in repair	Act11,1886,s.7(*g*). Ben.Act3,1883,s.16.
Agreement between road-authority and promoter as to repair of roadway	Act11,1886,s.13.
Promoter not to obstruct traffic	Ben.Act3,1883,s.17.

4. Working.

(*a*) Generally.

Rights of promoters and the public over tramway	Act11,1886,s.14. Ben.Act3,1883,ss.18,19, 23.
Carriages; description of, and motive power for	Act11,1886,s.7(*m*),(*n*). Ben.Act3,1883,ss.22,23.
Carriage of dangerous or offensive goods	Act11,1886,s.16. Ben.Act3,1883,s.34.
Power of Local Authority to make rules—	
generally	Act11,1886,s.24(*2*). Ben.Act3,1883,s.26.
for licensing and control of drivers, conductors, etc.	Act11,1886,s.24(2)(*h*).
,, promoter or lessee to make rules for prevention of nuisances and for regulating travelling	,, s.24(*5*). Ben.Act3,1883,s.27.

TRAMWAY—*contd.*

4. Working—*contd.*

(*a*) GENERALLY—*contd.*

Licenses to third parties by Local Government to use tramways in certain events ; licensee to account to promoter or lessee	Act11,1886,ss.17,18.

(*b*) TOLLS, ETC.

"Toll" includes charges	,, s.3(*10*).
Promoter or lessee or Local Authority may take tolls, rates and fares ; limits thereto ; exhibition of list	,, ss.15,23. Ben.Act3,1883,ss.21,24, 25.
Penalty for evasion of	Act11,1886,s.31. Ben.Act3,1883,s.32.
Recovery of, from licensees	Act11,1886,s.37.
,, ,, ,, passengers	,, s.38.

5. Offences, Penalties, etc.

Promoter, lessee or licensee not complying with Act or order	,, ss.27,47. Ben.Act3,1883,s.29.
Obstructing servant of promoter in exercise of his powers, or injuring mark	Act11,1886,s.28. Ben.Act3,1883,s.30.
Interfering with or obstructing tramway	Act11,1886,s.29. Ben.Act3,1883,s.31.
Without authority using on tramway a carriage suited thereto	Act11,1886,s.30.
Evading payment of toll or fare	,, s.31. Ben.Act3,1883,s.32.
Bringing dangerous or offensive goods on tramway without notice	Act11,1886,s.32. Ben.Act3,1883,s.34.
Licensee not rendering proper accounts	Act11,1886,s.33.
Breaches of rules or bye-laws	,, s.25. Ben.Act3,1883,s.35.
Arrest by servant of promoter	,, s.33.
Prosecutions under other laws not barred, but only one punishment allowed	Act11,1866,s.34.

6. Discontinuance.

Cessation of powers of promoter and lessee on discontinuance of tramway	,, s.19. Ben.Act3,1883,s.39.
Power of Local Government to order discontinuance in certain cases	Act11,1886,s.21(*1*). Ben.Act3,1883,s.40.
Power to remove tramway and restore road, on discontinuance of tramway ; recovery of costs	Act11,1886,ss.20,21(*2*). Ben.Act3,1883,ss.39,40.

See also below, **7**.

7. Miscellaneous.

Promoter only to acquire right of user of road	Act11,1886,s.39. Ben.Act3,1883,s.19.
,, to pay authorised charges for use of road or bridge ; compounding for such charges	Act11,1886,s.39.
Promoters, lessees and licensees to be responsible for all injuries	,, s.42. Ben.Act3,1883,s.36.
Want of funds not a sufficient reason for suspending construction or discontinuing working	Act11,1886,s.43.

TRAMWAY—*concld.*

7. Miscellaneous—*concld.*

Recovery of moneys due from promoters and lessees	Act11,1886,s.36.
Certain differences between promoters or lessees and Local Government, etc., to be settled by District Court as referee or by a referee appointed by Local Government; appeal to High Court	,, s.35.
Saving of right of Local Authority, etc.—	
to break up, etc., road, etc., where tramway laid	,, s.40. Ben.Act3,1883,s.38.
to regulate passage of traffic	Act11,1886,s.41. Ben.Act3,1883,s.37.
Saving of right of public to use road	Act11,1886,s.14. Ben.Act3,1883,s.18.
Lease of, or working of, tramway by Local Authority	Act11,1886,s.23. Ben.Act3,1883,s.21.
Purchase of tramway by Local Authority	Act11,1886,s.22. Ben.Act3,1883,s.41.
Local Funds may be applied by Local Authorities	Act11,1886,s.45. Ben.Act3,1883,s.10.
Power of Local Authority to demand rent from promoter; application of rent and tolls received by Local Authority	,, ss.11,12.
Transfer of control on exclusion of local area from circle of Local Authority	Act11,1886,s.48.
General power of Local Government to make rules	,, s.24(*1*),(*d*). Ben.Act3.1883,s.13.
Publication of rules or bye-laws	Act11,1886,s.26. Ben.Act3,1883,s.28.
Power of Local Government to exempt animals, plant, etc., from municipal taxation	Act11,1886,s.44.
,, ,, ,, to extend Act to existing tramways	,, s.46.
Powers of Local Government exerciseable from time to time	,, s.50.
Power to extend Railways Act, 1890, to tramway worked by steam or other mechanical power	Act9,1890,s.146.
Liability of owner of tramroad constructed under Land Acquisition Act for loss of or damage to property delivered to him for carriage	Act3,1865,s.7.
,, of tramway to road cess and public works cess	Ben.Act9,1880,ss.6,8.
Power to apply Act 10, 1895, to tramway companies	Act4,1902.

See also ELECTRICITY; PROVIDENT FUND.

TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT.

1874. Bom. Act 1 (Bombay City Tramway).
1879. Ben. Act 6 (Darjeeling Steam Tramway).
1880. Ben. Act 1 (Calcutta Tramway).
1883. Bom. Act 2 (Karachi Tramway).
1884. Ben. Act 2 (Calcutta Tramway).
1894. Ben. Act 3 (Calcutta Tramway).
1898. Bom. Act 4, s. 44 (Bombay City Improvement).
1900. Ben. Act 4 (Calcutta Tramway, Electric Traction).

TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT—*contd.*

A.—BOMBAY CITY, CALCUTTA, AND KARACHI TRAMWAYS.
- 1. Preliminary.
- 2. Agreements.
- 3. Construction and Maintenance.
- 4. Working.
- 5. Offences, Penalties, etc.
- 6. Discontinuance.
- 7. Miscellaneous.

B.—DARJEELING STEAM TRAMWAY.

A.—BOMBAY CITY, CALCUTTA, AND KARACHI.

1. Preliminary.

Definitions . . . . . (Bo.)Bom.Act1,1874,s.2.

2. Agreements.

Agreements with grantees . . . . . (Bo.)Bom.Act1,1874,Sch. (Cal.)Ben.Act1,1880,Sch. (Cal.)Ben.Act3,1894,Sch. (Kar.)Bom.Act2,1883,Sch.

Validation of supplementary agreement . . . . . (Cal.)Ben.Act3,1894.

Validation of agreement for electric traction . . . . . (Cal.)Ben.Act4,1900.

3. Construction and Maintenance.

Grantees empowered to construct and maintain tramways . (Bo.)Bom.Act1,1874,ss.3,4,5. (Cal.)Ben.Act1,1880,ss.3to5. (Ka.)Bom.Act2,1883,ss.3to5.

Inspection before opening . . . . (Cal.)Ben.Act1,1880,s.6. (Kar.)Bom.Act2,1883,s.6.

Breaking up streets, etc. . . . . (Bo.)Bom.Act1,1874,ss.10,11. (Cal.)Ben.Act1,1880,s.12. (Kar.)Bom.Act2,1883,s.12.

Grantees to keep roads in repair . . . . (Bo.)Bom.Act1,1874,s.12. (Cal.)Ben.Act1,1880,s.13. (Kar.)Bom.Act2,1883,s.13.

" not to obstruct traffic . . . . (Cal.)Ben.Act1,1880,s.14. (Kar.)Bom.Act2,1883,s.14.

" performance of work in default of, at their expense . (Bo.)Bom.Act1,1874,s.14.

4. Working.

(*a*) GENERALLY.

Rights of grantees and the public over tramway . . . . " ss.7,8. (Cal.)Ben.Act1,1880,ss.8.15. (Kar.)Bom.Act2,1883,ss.8,15.

TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT—*contd.*

A.—BOMBAY CITY, CALCUTTA AND KARACHI TRAMWAYS—*contd.*

4. Working—*contd.*

(*a*) GENERALLY—*contd.*

Carriages ; description of, and motive power for . . . . (Bo.)Bom.Act1,1874,ss.6, 7,9. (Cal.)Ben.Act1,1880,ss.7, 8. (Kar.)Bom.Act2,1883,ss. 7,8.

Carriage of dangerous or offensive goods . . . . . (Bo.)Bom.Act1,1874,s.23. (Cal.)Ben.Act1,1880,s.23. (Kar.)Bom.Act2,1883,s.22.

Power of Local Authority to make rules, regulations or bye-laws—

generally . . . . . (Bo.)Bom.Act1,1874,s.24. (Cal.)Ben.Act1,1880,s.24. (Kar.)Bom.Act2,1883,s.23.

for licensing and control of drivers, conductors, etc. . . (Cal.)Ben.Act1,1880,s.26. (Kar.)Bom.Act2,1883,s. 25.

Power of grantees to make regulations and bye-laws for prevention of nuisance, and for regulating travelling . . (Bo.)Bom.Act1,1874,s.24. (Cal.)Ben.Act1,1880,s.24. (Kar.)Bom.Act2,1883,s.23.

(*b*) FARES AND CHARGES.

Grantees may take fares and charges ; limits thereto ; exhibition of list . . . . . (Bo.)Bom.Act1,1874,ss.16 to18. (Cal.)Ben.Act1,1880,ss.9to 11. (Kar.)Bom.Act2,1883,ss. 19to11.

Penalty for evasion of . . . . . (Bo.)Bom.Act1,1874,s.21. (Cal.)Ben.Act1,1880,s.21. (Kar.)Bom.Act2,1883,s.20.

5. Offences, Penalties, etc.

Grantee not complying with Act or agreement . . . . . (Bo.)Bom.Act1,1874,s.13. (Cal.)Ben.Act,1,1880,s.18. (Kar.)Bom.Act2,1883,s.17.

Obstructing servant of grantees in exercise of their powers, or injuring mark . . . . . (Bo.)Bom.Act1,1874,s.19. (Cal.)Ben.Act1,1880,s.19 (Kar.)Bom.Act2,1883,s.18.

Interfering with or obstructing tramway . . . . . (Bo.)Bom.Act1,1874,s.20. (Cal.)Ben.Act1,1880,s.20. (Kar.)Bom.Act2,1883,s.19.

Evading payment of fare . . . . . (Bo.)Bom.Act1,1874,s.21. (Cal.)Ben.Act1,1880,s.21. (Kar.)Bom.Act2,1883,s.20.

Bringing dangerous or offensive goods on tramway without notice (Bo.)Bom.Act1,1874,s.23. (Cal.)Ben.Act1,1880,s.23. (Kar.)Bom.Act2,1883,s.22.

Breaches of rules or bye-laws . . . . . (Bo.)Bom.Act1,1874,s.25. (Cal.)Ben.Act1,1880,s.25. (Kar.)Bom.Act2,1883,s.24.

Arrest by servant of grantees . . . . . (Bo.)Bom.Act1,1874,s.22. (Cal.)Ben.Act1,1880,s 22. (Kar.)Bom.Act2,1883,s.21.

TRAMWAYS CONSTRUCTED UNDER SPECIAL AGREEMENT—*concld.*

A.—BOMBAY CITY, CALCUTTA AND KARACHI TRAMWAYS—*contd.*

6. Discontinuance.

Power to remove tramway and restore road, on discontinuance of tramway; recovery of costs . . . . . (Bo.)Bom.Act1,1874,s.29.

See also below, 7.

7. Miscellaneous.

Grantees only to acquire right of user of road . . . . (Cal.)Ben.Act1,1880,s.17. (Kar.)Bom.Act2,1883,s.16.

Grantees to be responsible for all injuries . . . . (Bo.)Bom.Act1,1874,s.27. (Cal.)Ben.Act1,1880,s.27. (Kar.)Bom.Act2,1883,s.26.

Recovery of fares, penalties, etc. . . . . (Bo.)Bom.Act1,1874,s.26.

Saving of right of Local Authority, etc.—

to break up, etc., road traversed by tramway . ,, s.15. (Cal.)Ben.Act1,1880,s.29. (Kar.)Bom.Act2,1883,s.28.

to regulate passage of traffic . . . . (Bo.)Bom.Act1,1874,s.28. (Cal.)Ben.Act1,1880,s.28. (Kar.)Bom.Act2,1883,s.27.

of public to use road . . . . . (Bo.)Bom.Act1,1874,s.8. (Cal.)Ben.Act1,1880,s.15. (Kar.)Bom.Act2,1883,s.15.

,, of Port Commissioners, etc., to run tramway across grantees' tramway . . . . (Cal.)Ben.Act1,1880,s.16.

Sale of tramway by grantees . . . . . (Bo.)Bom.Act1,1874,s.31. (Kar.)Bom.Act2,1883,s.30.

Purchase of tramway by Local Authority . . . . (Bo.)Bom.Act1,1874,s.30. (Cal.)Ben.Act1,1880,s.30. (Kar.)Bom.Act2,1883,s.29.

In parts of Calcutta not subject to the Calcutta Municipal Corporation, Local Government to exercise powers of Corporation; Corporation not to have control in respect of tramways outside limits of authority . . . . . (Cal.)Ben.Act2,1884,ss.3,4.

Application of certain sections of Bom. Act 1, 1874, to streets, etc., vested in Trustees for improvement of City of Bombay . Bom.Act4,1898,s.44.

B.—DARJEELING STEAM TRAMWAY.

Power to construct and maintain, to use locomotives, etc., and to obstruct cart-road . . . . . Ben.Act6,1879.

TRANSFER OF PROPERTY ACT, 1882. (*See* ACTIONABLE CLAIM; CHARGE; DEBT; FRAUDULENT CONVEYANCE; GIFT; LEASE; MORTGAGE; NEGOTIABLE INSTRUMENTS; POLICY OF INSURANCE; SALE; TRANSFER OF PROPERTY; TRUST; WARRANTS) . . . . . Act4,1882.

TRANSFER OF PROPERTY ACT (1882) AMENDMENT ACT, 1885 . . . . . Act3,1885.

TRANSFER OF PROPERTY ACT, 1900 . . . . Act2,1900.

TRANSFER OF PROPERTY (AMENDMENT) ACT, 1904 . Act6,1904.

TRANSFER OF PROPERTY.

A.—TRANSFERS GENERALLY.

1. Preliminary.

Act 11, 1855: declared in force in whole of British India, except as regards the Scheduled Districts	Act15,1874,s.3.
" " applies only to cases to which English law is applicable	Act11,1855,s.3.
Act 4, 1882: extent of	Act4,1882,s.1.
" " repealed as to crown grants	Act15,1895.
" " ss. 5 to 53, not to affect rules of Hindu, Muhammadan or Buddhist law	Act4,1882,s.2.
General definitions	" s.3.

2. Property generally.

Definition of "transfer of property"	" s.5.
What property may and what may not be transferred	" s.6.
Who may transfer	" s.7.
Operation and incidents of transfer	" s.8.
Transfer may be made orally where writing not expressly required by law	" s.9.
Condition restraining alienation, void; exceptions	" s.10.
Restriction repugnant to interest created, void; exception	" s.11.
Condition making interest determinable on insolvency or attempted alienation, void; exception	" s.12.
Rules against perpetuity and transfers for benefit of unborn persons	" ss.13to17.
Direction for accumulation, void; exception	" s.18.
Vested interests and contingent interests	" ss.19to24.
Conditional transfers	" ss.25to34.
Election	" s.35.
Apportionment of periodical payments on determination of interest of person entitled	" s.36.
" of benefit of obligation, on severance	" s.37.

3. Immoveable property.

Presumption in case of transfer by person authorised to transfer under certain circumstances only	" s.38
Right of third person to maintenance or to provision for advancement or marriage, how affected	" s.39.
Enforcement, after transfer, of obligation imposing restriction on use or obligation annexed to ownership	" s.40.
Effect of transfer by ostensible owner	" s.41.
" " by person having authority to revoke former transfer	" s.42.
" " by unauthorised person who subsequently acquires interest in property transferred	" s.43.
" " by one co-owner	" s.44.
" " to two or more persons	" s.45.
" " by persons having distinct interests	" s.46.
" " by co-owners of share in common property	" s.47.

TRANSFER OF PROPERTY—*contd.*

A.—TRANSFERS GENERALLY—*contd.*

3. Immoveable property—*contd.*

Priority of rights created by transfer . . . . . Act4,1882,s.48.
Transferee's right under policy of fire insurance . . . . „ s.49.
Holder under defective title:
Person holding *bonâ fide* from, not chargeable with rents or profits *bonâ fide* paid to him . . . . . Act11,1855,s.1 Act4,1882,s.50.
Value of improvements made by *bonâ fide* holder under defective title, secured to him . . . . . Act11,1855,s.2 Act4,1882,s.51.
Act 11, 1855, s. 1, repealed where Transfer of Property Act, 1882, is in force . . . . . „ s.2.
Restriction on transfer of property pending suit relating thereto „ s.52.
Fraudulent transfers voidable . . . . . „ s.53.
Crown grants of land or interest therein to take effect according to their tenor, notwithstanding other laws . . . . Act15,1895.
Power to regulate or restrict transfer of land in Chittagong Hill Tracts . . . . . Reg.1,1900,s.18(2)(*d*).
See also LAND (INDIAN LAW).

B.—TRANSFERS OF PARTICULAR KINDS.

See ACTIONABLE CLAIM; ASSIGNMENT; CHARGE; EXCHANGE; GIFT; LEASE; MORTGAGE; SALE; TALUQDARS AND GRANTEES, OUDH.

TRANSLATION.
Copyright in. *See* COPYRIGHT, 5 (*c*).

TRANSPORT. *See* MARCHING TROOPS; TRAVELLER.

TRANSPORT OF SALT ACT, 1879. (*See* SALT) . . . . Act16,1879.

TRANSPORTATION.
See CRIMINAL LAW (INDIAN), 2.
Treatment of convicts sentenced to. *See* PRISONER (INDIAN LAW), 2 (4).
Penalty for unlawful return from . . . . . Act45,1860,s.226.

TRAVELLER.
Ben. Reg. 11, 1806, s. 8,[1] declared in force—
throughout Agra, Bengal (except Sambalpur District) and Eastern Bengal except as regards the Scheduled Districts . Act15,1874,ss.6,7.
in the Santhál Parganas . . . . . Reg.3,1872,s.3.
in the Central Provinces and Sambalpur District . . . Act20,1875,s.3.
in Oudh (with modifications) . . . . . Act18,1876,s.3.
in Ajmere . . . . . Reg.3,1877,s.3.
in Angul District . . . . . Reg.1,1894,s.3.
Police empowered to aid travellers in procuring supplies or means of transport; duty of police to see that proper payment is made . . . . . Ben.Reg.11,1806,s.8.
Ben. Reg. 11, 1806, repealed as to coolies . . . . Ben.Reg.3,1820,s.2, (Aj.)Reg.3,1877,s.3. (C.P.)Act20,1875,s.3. (O.)Act18,1876,s.3.

[1] Ben. Reg. 11, 1806, s. 8, has been declared, by notification under the Scheduled Districts Act, 1874, to be in force in Assam, except the North Lushai Hills.

TRAVELLER—*contd.*

Duty of village-headman and rural police to furnish, on payment, guides, supplies and means of transport . . . . . Bur.Act6,1907,s.8(*g*).

Supply of provisions and labour for travelling officials, in Angul District . . . . . Reg.1,1894,s.55.

TREASON.

See CRIMINAL LAW AND PROCEDURE (ENGLISH).

TREASURE TROVE ACT (INDIAN), 1878 . . . . . Act6,1878.

TREASURE TROVE.

Act 6, 1878, extends to whole of British India . . . . . Act6,1878,s.1.

" " declared in force in—

the Santhál Parganas . . . . . Reg.3,1872,s.3.

Upper Burma generally (except the Shan States) Act13,1898,s.4,Sch.I.

Angul and the Khondmals . . . . . Reg.1,1894,s.3.

Definitions . . . . . Act6,1878,s.3.

Notice to be given by finder of treasure . . . . . " s.4.

Enquiry by Collector into claims . . . . . ,,ss.5,7to9,18.

" Coroner, abolished . . . . . Act4,1871,s.30.

Forfeiture of claim by non-appearance of claimant . . . Act6,1878,s.6.

Delivery of treasure to finder, or division of it between him and other claimant . . . . . " ss.10to12, 15.

Power of Collector to sell . . . . . " s.12.

" " to acquire, for Government . . . " s.16.

Reference to Civil Court when allowed . . . . . " ss.8,13,14.

Bar to proceedings for things done under Act . . . . . " s.17.

Power of Local Government to make rules for working of Act . " s.19.

Penalties . . . . . " ss.20,21.

TREES.

Obstructing railway; removal of . . . . . Act9,1890,s.15.

Right of Government to trees; rights of landholders in respect of trees on roadside . . . . . Bom.Act5,1879,ss.40to42.

Recovery of value of Government trees or their products unauthorisedly appropriated . . . . . " s.43.

Regulation of supply of firewood and timber from Government trees . . . . . " s.44.

Rights of Government in sandalwood trees . . . . . (Co.)Reg.1,1899,s.47.

To be under authority of Local Self-government Boards:

See UNDER LOCAL SELF-GOVERNMENT, (*sub-heading* "Duties and Powers of Local Authorities).

See also FOREST.

TRESPASS.

Definitions of. *See* WORDS AND PHRASES.

Penalty for . . . . (Bo.City)Bom.Act4,1902, s.11. (Cal.)Ben.Act4,1866,s.29 (sub.Ben.Act3,1910,s.10). (Cal.Sub.)Ben.Act2,1866, s.15B(ins.Ben.Act3,1910, s.10). (M.City)Mad.Act3,1888, s.63.

TRESPASS—*contd.*

Criminal: punishment for; obligation to give information of, compounding for. *See* CRIMINAL LAW (INDIAN), **15.**

By animals. *See* ANIMAL, B.

Unauthorized occupation of land. *See* LAND (IND. LAW.); LANDLORD AND TENANT, III, A, 6; IV, A, 6.

TRIBUTARY MAHALS OF ORISSA ACT, 1893. (*See* ORISSA) . Act11,189?.

TRIBUTE.

Levy of, in Arakan Hill District . . . . . Reg.9,1874,ss.12to14.

TROOPS TRANSPORT REGULATION (BENGAL), 1825.[1] (*See* MARCHING TROOPS) . . . . . Ben.Reg.6,1825.

TROOPS TRANSPORT AND TRAVELLERS ASSISTANCE REGULATION (BENGAL), 1806.[1] (*See* MARCHING TROOPS; TRAVELLER) . . . . . Ben.Reg.11,1806.

TRUSTS ACT (INDIAN), 1882 . . . . . Act2,1882

TRUSTEE ACT, 1893. (*See* FINANCE) 56,7V.c.53

TRUSTEES' AND MORTGAGEES' POWERS ACT, 1866. (*See* ADMINISTRATION OF ESTATES (IND. LAW); ASSIGNMENT; LEASE; MORTGAGE; POWERS; RENT CHARGE SUCCESSION; TRUST) . Act28,1866.

TRUST.

A.—GENERALLY.

1. Preliminary.

Act 2, 1882, extends to Assam, Central Provinces (and Sambalpur District), Coorg, Madras Presidency, N.-W. Fr. Province, Punjab and United Provinces . . Act2,1882,s.1.

" " may be extended to other provinces by notification .

Definition of "trust," etc. (*See also* WORDS AND PHRASES) . " s.3.

2. Creation of Trust.

Purpose must be lawful . . . . . " s.4.

How created . . . . . " ss.5to7.

Subject of trust . . . . . " s.8.

Beneficiary: who may be; disclaimer by . . . . . " s.9.

Who may be trustee; no one bound to accept trust; acceptance and disclaimer . . . . . " s.10.

3. Duties, Powers, etc., of Trustee.

Duties and liabilities:

To execute trust . . . . . " s.11.

To inform himself of state of trust-property . . . . " s.12.

To protect title to trust-property . . . . . " s.13.

Not to set up title adverse to beneficiary . . . . " s.14.

Care required from trustee . . . . . " s.15.

Duty as to conversion of perishable property . . . " s.16

To be impartial . . . . . " s.17

To prevent waste . . . . . " s.18.

To keep accounts and furnish accounts and information to beneficiary . . . . . " s.19.

[1] This short title was given by Act 5, 1897, s. 4.

TRUST—*contd.*

A.—GENERALLY—*contd.*

3. Duties Powers, etc., of Trustee—*contd.*

Duties and liabilities—*contd.*

Duty as to investment of trust-money	Act 2, 1882,	ss. 20, 21.
,, ,, sale directed to be made within specific time	,,	s. 22.
Liability for breach of trust; no set-off allowed	,,	ss. 23, 24.
Non-liability for predecessor's default	,,	s. 25.
Co-trustees: non-liability for default of; exception	,,	s. 26.
,, when severally liable; contribution	,,	s. 27.
Non-liability where trustee pays without notice of transfer by beneficiary	,,	s. 28.
Liability where beneficiary's interest is forfeited to Government	,,	s. 29.
Indemnity of trustee	,,	s. 30.
Trust-property wrongfully converted and again coming to trustee becomes again trust-property	,,	s. 65
Liability where trust-property wrongfully used in partnership business	,,	s. 67.
Punishment for criminal breach of trust	Act 45, 1860,	ss. 405 to 409.
Suit against express trustee not barred by any length of time	Act 9, 1908,	s. 10.
Payment of income-tax by trustee. *See* INCOME-TAX, 3.		

Rights and powers:

Right to title-deeds	Act 2, 1882,	s. 31.
,, to re-imbursement of expenses or over-payment	,,	s. 32.
,, to indemnity from gainer by breach of trust	,,	s. 33.
,, to apply to Court for opinion in management of trust-property	,,	s. 34.
,, to settlement of accounts	,,	s. 35.
General authority of trustee	,,	s. 36.
Powers as to sale	,,	ss. 37 to 39.
Power to vary investments	,,	s. 40.
,, to apply property of minors, etc., for their maintenance, etc.	,,	s. 41.
,, to give receipts	,,	s. 42.
,, to compound, etc.	,,	s. 43.
Powers when one of several trustees dies or disclaims	,,	s. 44.
Suspension of powers by decree	,,	s. 45.

Disabilities:

Cannot renounce after acceptance; exceptions	,,	s. 46.
Cannot delegate; exceptions	,,	s. 47.
Co-trustees cannot act singly except where instrument of trust so provides	,,	s. 48.
Control of discretionary power by Court	,,	s. 49.
Not to charge for services; exceptions	,,	s. 50.
,, use trust-property for his own profit	,,	s. 51.
,, buy, etc., trust-property	,,	ss. 52, 53.
,, lend to co-trustee	,,	s. 54.

Vacation of office:

Office vacated by death or discharge of trustee	,,	s. 70.

TRUST—*contd.*

A.—GENERALLY—*contd.*

3. Duties, Powers, etc., of Trustee—*concld.*

Vacation of office—*contd.*

Trustee how discharged	Act 2, 1882, ss. 71, 72.
Appointment of new trustee on disclaimer, death, etc.	„ ss. 73, 74.
New trustees; vesting of trust-property in; their powers	„ s. 75.
Survival of trust on death or discharge of co-trustee	„ s. 76.

Procedure in suit by or against trustee. *See* CIVIL PROCEDURE, 4.

See also IMPROVEMENT (BOMBAY CITY); OFFICIAL TRUSTEE; PORT COMMISSIONER OR TRUSTEES; SOCIETY, 2; VICTORIA MEMORIAL, *and below*, 4.

4. Rights and Liabilities of Beneficiary.

Right to rents and profits	„ s. 55.
„ to specific execution „ to transfer of possession	„ s. 56.
„ to inspect and take copies of instrument of trust, accounts, etc.	„ s. 57.
„ to transfer beneficial interest	„ s. 58.
„ to sue for execution of trust	„ s. 59.
„ to have trust-property properly protected and administered by proper persons	„ s. 60.
„ to compel trustee to perform act of duty and to restrain him from committing breach of trust	„ s. 61.
Rights where trustee has wrongfully bought trust-property	„ s. 62.
Right to follow trust-property	„ ss. 63, 64.
„ when trustee wrongfully mingles trust-property with his own	„ s. 66.
Liability of beneficiary joining in breach of trust	„ s. 68.
Rights and liabilities of beneficiary's transferee	„ s. 69.

5. Extinction and Revocation of Trust.

Trust when extinguished	„ s. 77.
„ revocation of	„ ss. 78, 79.

6. Certain obligations in the nature of Trusts.

Such obligations created—

where it does not appear that transferor intended to dispose of beneficial interest	„ s. 81.
where property transferred to one for consideration paid by another	„ s. 82.
„ „ „ pursuant to contract which is rescindable or was induced by fraud or mistake	„ s. 86.
„ „ „ for illegal purpose	„ s. 84.
where bequest made for illegal purpose where revocation of bequest prevented by coercion	„ s. 85.
where trust incapable of execution, or executed without exhausting trust-property	„ s. 83.
where property acquired with notice of existing contract	„ s. 91.

TRUST—*contd.*

A.—GENERALLY—*concld.*

6. Certain obligations in the nature of Trusts—*contd.*

Such obligations created—*contd.*

where property acquired by person contracting to buy for beneficiary	Act2,1882,s.92.
where debtor becomes creditor's representative	„ s.87.
where advantage gained by trustee, executor, partner or other fiduciary	„ s.88.
„ „ „ by exercise of due influence	„ s.89.
„ „ „ by tenant for life, mortgagee or other qualified owner	„ s.90.
„ „ „ secretly by one of several compounding creditors	„ s.93.
where person having possession of property has not the whole beneficial interest therein	„ s.94.
Duties, liabilities and disabilities of obligor	„ s.95.
Ss. 81 to 95 not to impair rights of *bonâ fide* transferee	„ s.96.
„ „ create obligation in evasion of law	

7. Miscellaneous.

Trust not to be entered on register of shipping	57-8V.c.60,s.56.
Trust in respect of Government securities; notice of, not receivable by Government	Act13,1886,s.4.
Religious and charitable trusts. *See* ENDOWMENT.	

B.—CASES GOVERNED BY ENGLISH LAW.

Person having use or trust in lands to be deemed seised of legal estate. *See* LAND (ENGLISH LAW).	
Acts 31, 1854, and 28, 1866, declared in force throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
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Protection of contingent estates without trustee to preserve	Act31,1854,s.13.
Bonâ fide purchaser not required to see to application of trust-money	„ s.17.
Act 31, 1854, s. 17, repealed where Transfer of Property Act, 1882, is in force	Act4,1882,s.2.
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Power of High Court to make order for disposal of—	
immoveable property, or contingent right therein, or stock, etc., held by trustees who are lunatic or of unsound mind	Act27,1866,ss.4to6.
immoveable property or contingent right therein, held by trustees who are minors	„ ss.8,9
immoveable property or contingent right therein, held by trustee, who is out of jurisdiction or cannot be found	„ ss.10to13.
immoveable property held by two or more trustees, when it is uncertain which of them was the survivor or whether the last trustee is living or dead	„ ss.14,15.

TRUST—*contd.*

B.—CASES GOVERNED BY ENGLISH LAW—*contd.*

Power of High Court to make order for disposal of—*contd.*

immoveable property held by trustee, when he dies without heir . . . . . Act27,1866,s.16.

contingent right which would be held in immoveable property as trustee by unborn person . . . . . ,, s.17.

immoveable property or contingent right therein, held by trustee who refuses to convey same . . . . . ,, s.18.

Power to appoint person to convey ; power to issue order to Secretary of Company or Society in such cases . . . . . ,, s.20.

Power of High Court to make order for disposal of stock, Government securities, etc.—

when trustee is out of jurisdiction or cannot be found . . ,, s.21.

when trustee refuses to transfer or to receive and pay over dividends . . . . . ,, ss.22,23.

Effect of such orders for vesting stock, Government securities, etc. . . . . ,, ss.25to29.

Power of High Court to make order for disposal of stock or Government securities vested in minor trustee . . . . . ,, s.30.

Power of High Court to make order for disposal of immoveable property or contingent right therein when it has directed sale of the property . . . . . ,, ss.32,33.

Power of High Court to make order for disposal of rights in immoveable property when it has decreed specific performance, partition or exchange, etc. . . . . ,, s.33.

Power of High Court to direct how right to transfer stock, etc., vested under Act shall be exercised . . . . . ,, s.34.

Power of High Court to appoint new trustees and give them powers and rights . . . . . ,, ss.35to42.

Power exerciseable on insolvency of trustee. *See* INSOLVENCY, A, 4.

Power of High Court to make order as to costs under Act . . ,, ss.44,49.

Orders of High Court to be conclusive evidence of matters on which they are based . . . . . ,, s.44.

Powers under Act exerciseable in case of charities . . . ,, s.45.

Payment into Court, etc., of moneys to which minor or person of unsound mind is entitled by virtue of action taken under Act . ,, s.46.

Power of High Court to make decree in absence of trustee who cannot be found . . . . . ,, s.47.

Stamp-duty on orders made under Act . . . . . ,, s.48.

Power of High Court to direct enquiry whether person concerning whom petition is presented under Act 27, 1866, is of unsound mind ; application of Act 34, 1858 . . . . . ,, s.50.

Power of High Court to postpone making order under Act until petitioner's right declared in suit . . . . . ,, s.51.

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Powers and duties of trustees in executing trust for sale . . Act28,1866,ss.2to5.

Legatee in trust, and his successors, may raise money by sale notwithstanding want of express power in will . . . . . ,, ss.25,26,28.

Purchaser not bound to see to application of purchase-money, etc. . . . . ,, s.31.

Powers of trustee as to investment of trust-funds . . . ,, s.3

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TRUST—*concld.*

B.—CASES GOVERNED BY ENGLISH LAW—*concld.*

Appointment of new trustees; their powers, etc. . . . . } Act28,1866,ss.34,35.
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Chief Court of the Punjab to be High Court for N.-W. Fr. for purposes of Acts 27 and 28 of 1866 . . . . . } Reg.7,1901,s.6(*1*)(*c*).

UNCLAIMED ASSETS.

Transfer of, to Government—
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UNCLAIMED DEPOSITS ACT, {1866 / 1870} (*See* HIGH COURT; UNCLAIMED ASSETS) . { Act25,1866. Act5,1870.

UNCLAIMED PROPERTY.

Duties of police and Magistrates as to taking charge of and dealing with . . . . . { Act5,1861,ss.25,26,27. Bom.Act4,1890,ss.57to59. (Bo.City)Bom.Act4,1902, ss.47to50. (Cal.)Ben.Act4,1866,ss. 100,101(sub.Ben.Act3, 1910,s.30). (Ran.)Bur.Act4,1899,ss.45 to48.
Power to make rules as to disposal of, under Act 5, 1861, ss. 25 to 27 . . . . . } (O.)Act18,1876,s.39(*b*).
Duty of police to take charge of . . . . . { (Bo.)Bom.Act8,1867,s.19. (M.City)Mad.Act3,1888, s.23.
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UNITED PROVINCES OF AGRA AND OUDH.
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UNITED PROVINCES (DESIGNATION) ACT, 1902. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES: UNITED PROVINCES OF AGRA AND OUDH) . . . . . Act7,1902.

UNITED PROVINCES COURT OF WARDS ACT, 1899. (*See* BOARD OF REVENUE; COURT OF WARDS, F) . . . U.P.,Act3,1899

UNITED PROVINCES DISTRICT BOARDS ACT, 1906. (*See* ANIMALS, B; CANTONMENT; LOAN B; LOCAL SELF-GOVERNMENT, IX) . . . . . U.P.Act3,1906.

UNITED PROVINCES EXCISE ACT, 1910. [*See* CANTONMENT; CRIMINAL PROCEDURE (IND.); CUSTOMS (INLAND); CUSTOMS (SEA); EXCISE] . . . . . U.P.Act4,1910.

UNITED PROVINCES FAMINE LOANS RECOVERY ACT, 1897. (*See* LOAN, B) U.P.Act1,1897

UNITED PROVINCES GENERAL CLAUSES ACT, 1904. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES) . . U.P.Act1,1904.

UNITED PROVINCES HONORARY MUNSIFS ACT, 1896. (*See* CIVIL COURTS, III, IV, V; SMALL CAUSE COURTS, B) . U.P.Act2,1896.

UNITED PROVINCES LAND REVENUE ACT, 1901. [*See* ARBITRATION; COURT OF WARDS, F; LAND (IND. LAW); LANDLORD AND TENANT, IX, X; LAND REVENUE, XVI; PARTITION AND MINOR, ETC.,; PATWARIS AND KANUNGOS] . . . U.P.Act3,1901.

UNITED PROVINCES LOCAL AND RURAL POLICE RATES ACT, 1906. (*See* LOCAL RATES AND CESSES, F; OUDH) . U.P.Act2,1906.

UNITED PROVINCES LODGING HOUSE ACT, 1892. (*See* MUNICIPALITY, XVII) . . . . . U.P.Act1,1892.

UNITED PROVINCES MUNICIPALITIES ACT, 1900. (*See* CANTONMENT; DOGS; LOCAL SELF-GOVERNMENT, IX; MUNICIPALITY, XVII; POLICE, I, II; POLICY OF INSURANCE) . U.P.Act1,1900.

UNITED PROVINCES MUNICIPALITIES (AMENDMENT) ACT, 1907 . . . . . U.P.Act1 1907.

UNITED PROVINCES NATIVE REVENUE OFFICERS REGULATION, 1803. (*See* PUBLIC OFFICER) . . . Ben.Reg.33,1803.

UNITED PROVINCES SEWERAGE AND DRAINAGE ACT, 1894. (*See* MUNICIPALITY, XVII) . . . . . U.P.Act3,1894.

UNITED PROVINCES STEAM BOILERS AND PRIME MOVERS ACT, 1899. (*See* STEAM BOILERS AND PRIME MOVERS) U.PAct1,1899.

UNITED PROVINCES VACCINATION LAW AMENDMENT ACT, 1907. (*See* VACCINATION) . . . . . U.P.Act2,1907.

UNITED PROVINCES VILLAGE COURTS ACT, 1892. (*See* VILLAGE COURTS) . . . . . U.P.Act3,1892.
UNITED PROVINCES VILLAGE SANITATION ACT, 1892 (*See* INFECTIOUS DISEASE; VILLAGE) . . . . . U.P.Act2,1892.
UNITED PROVINCES WATER WORKS ACT, 1891. (*See* CANTONMENT; MUNICIPALITY, XVII) . . . . . U.P.Act1,1891.
UNITED PROVINCES WATER WORKS (AMENDMENT) ACT, 1908 . . . . . U.P.Act1,1908.
UNITED PROVINCES WATER WORKS (AMENDMENT) ACT, 1910 . . . . . U.P.Act1,1910.

UNIVERSITY.

1857. Act 2 (Calcutta).
,, Act 22 (Bombay).
,, Act 27 (Madras).
1882. Act 19 (Punjab).
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1. General.

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Election of ordinary fellows . . . . . ,, ss.6(*4*),7,8,9,12.
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2. Allahabad.

Establishment and incorporation of . . . . . Act18,1887,s.2.
Patron, Chancellor, Vice-Chancellor and Fellows . . . . ,, ss.2to4,6to8,Sch.
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,, power of, to levy fees . . . . . ,, s.16.
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3. Bombay, Calcutta and Madras.

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3. Bombay, Calcutta and Madras—*contd.*

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UNLAWFUL ASSEMBLY. *See* CRIMINAL LAW (INDIAN), **6**; CRIMINAL PROCEDURE (INDIAN), **6**; POLICE.

UNLAWFUL ASSOCIATION. *See* SOCIETY (4).

UNNATURAL OFFENCES. *See* CRIMINAL LAW (INDIAN), **14** (*b*).

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UPPER BURMA AND ARAKAN HILLS FRONTIER CROSSING AND DISTURBED DISTIRCTS REGULATION, 1907. (*See* DISTURBED DISTRICTS; FRONTIER)	Reg.1,1907.
UPPER BURMA CIVIL COURTS REGULATION, 1896. (*See* CIVIL COURTS, IX; CIVIL PROCEDURE, **12**; LEGAL PRACTITIONER; MATRIMONIAL CAUSES; PROCESS FEES; SEAL)	Reg. 1,1896.
UPPER BURMA CIVIL COURTS REGULATION (1896) AMENDMENT REGULATION 1900	Reg.8,1900.
UPPER BURMA CIVIL COURTS (AMENDMENT) REGULATION, 1903	Reg 5,1903.
UPPER BURMA CIVIL COURTS (AMENDMENT) REGULATION, 1905	Reg.3,1905.
UPPER BURMA CRIMINAL JUSTICE REGULATION, 1892. (*See* CRIMINAL PROCEDURE)	Reg.5,1892.
UPPER BURMA FRONTIER CROSSING AND DISTURBED DISTRICTS REGULATION, 1887. (*See* CRIMINAL PROCEDURE; DISTURBED DISTRICT; FRONTIER)	Reg.9,1887.
UPPER BURMA LAND AND REVENUE REGULATION, 1889. [*See* CANALS; EXCISE; FISHERY, **4**; IRRIGATION, II; LAND (IND. LAW); LAND REVENUE, X; MINES AND MINERALS; OPIUM; PRECIOUS STONES; SALT; THATHAMEDA TAX]	Reg.3,1889.

UPPER BURMA LAND AND REVENUE REGULATION (1889) AMENDMENT REGULATION, 1894 . . . . . Reg.3,1894.

UPPER BURMA LAND AND REVENUE REGULATION (1889) AMENDMENT REGULATION, 1895 . . . Reg.2,1895.

UPPER BURMA LAND AND REVENUE REGULATION (1889) AMENDMENT REGULATION, 1898. . . . Reg.3,1898.

UPPER BURMA LAND AND REVENUE REGULATION AMENDMENT REGULATION, 1900 . . . . . Reg4,1900.

UPPER BURMA LAND AND REVENUE (AMENDMENT) REGULATION, 1901 . . . . . Reg.5,1901.

UPPER BURMA LAND AND REVENUE (AMENDMENT) REGULATION, 1903 . . . . . Reg.3,1903.

UPPER BURMA LAND AND REVENUE (AMENDMENT) REGULATION, 1907 . . . . . Reg.6,1907.

UPPER BURMA OIL FIELDS REGULATION, 1910 . . Reg.6,1910.

Reg. 6, 1910, to come into force when notified . . . . Reg.6,1910,s.1(3).

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Warden, appointment, powers and duties of; to be deemed a Revenue Officer within the meaning of Reg. 3, 1889 . . ,, s.4.

Warden not to be deemed party to or personally interested in prosecutions . . . . . ,, s.9.

Orders of warden to be subject to review and revision . . ,, s.13(1).

Inquiry into accidents; powers of warden holding inquiry . ,, s.8.

Certain persons to be deemed to be public servants . . . ,, s.12.

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Government not liable for loss or damage caused by Act of public servant in good faith . . . . . ,, s.11.

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UPPER BURMA REGISTRATION REGULATION, 1897. (*See* REGISTRATION OF DOCUMENTS) . . . . . Reg.2,1897.

UPPER BURMA RUBY REGULATION, 1887. [*See* CRIMINAL PROCEDURE, 12; LAND (IND. LAW); PRECIOUS STONES] . . Reg.12,1887.

UPPER BURMA RUBY REGULATION (1887) AMENDMENT REGULATION, 1891 . . . . . Reg.5,1891.

UPPER BURMA RUBY REGULATION (1887) AMENDMENT REGULATION 1897 . . . . . Reg.1,1897.

UPPER BURMA STAMPS AND LIMITATION REGULATION, 1887, (*See* STAMP) . . . . . Reg.10,1887.

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"Upper Tanawal," "Phulera," "Chief of Amb," "Khan of Phulera" defined; determination of boundaries of Upper Tanawal or Phulera . . . . . Reg.2,1900,s.2,Sch.9.

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Civil and criminal jurisdiction of the Khan of Phulera and the Chief of Amb respectively; validity of and indemnification for past exercise of jurisdiction . . . . . ,, ss.5,6,11.

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VACCINATION ACT, 1880 (*See* VACCINATION) . . . Act13,1880.

,, ,, (BENGAL), 1880 . . . . . Ben.Act5,1880.

,, ,, (BOMBAY), 1877 . . . . . Bom.Act1,1877.

,, ,, (BOMBAY DISTRICTS), 1892 . . . Bom.Act1,1892.

,, ,, (KARACHI), 1879 . . . . . Bom.Act4,1879.

VACCINATION ACTS AMENDMENT ACT, 1882 . . . Bom.Act3,1882.

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1865. Ben. Act 4 (Inoculation, Bengal, Eastern Bengal and Assam).

1868. Act 24 (Inoculation; Kumaon, Garhwal, Tarai Parganas).

1872. Reg. 3, s. 3 (Laws, Santhál Parganas).

1877. Bom. Act 1 (Vaccination, Bombay City).

1879. Bom. Act 4 (Vaccination, Karachi).

1880. Ben. Act 5 (Vaccination, Bengal, Eastern Bengal and Assam).

,, Act 13 (Vaccination; Ajmere, Assam, Sambalpur District, Burma, Central Provinces, Coorg, N.-W. Fr. Province, Punjab and United Provinces).

1885. Ben. Act 3, ss. 92 to 96, 138 (*k*) (Local Self-government, Bengal).

1887. Ben. Act 2 (Vaccination, Assam and Bengal).

1888. Bom. Act 3, s. 68A (Municipality, Bombay City).

1890. Ben. Act 2 (Vaccination, Bengal).

1892. Bom. Act 1 (Vaccination, Bombay Presidency).

1907. U. P. Act 2 (Vaccination).

1908. Bur. Act 6 (,,).

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1910. Reg. 5, s. 87 (Bazar, British Baluchistan).

I.—AJMERE, ASSAM, SAMBALPUR DISTRICT (BENGAL), BURMA, CENTRAL PROVINCES, COORG, N.-W. FR. PROVINCE, PUNJAB AND UNITED PROVINCES.

1. Preliminary.
2. Vaccination-circles and Establishments.
3. Vaccination of children.
4. Vaccination of unprotected persons.
5. Inoculation.
6. Supplemental.

II.—BENGAL, (EXCEPT SAMBALPUR DISTRICT) EASTERN BENGAL AND ASSAM.

1. Preliminary.
2. Vaccine-stations and Establishments.
3. Vaccination of children.
4. Vaccination of unprotected persons.
5. Inoculation.
6. Supplemental.

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III.—BOMBAY PRESIDENCY . . . . 1. Preliminary. 2. Vaccination-circles, etc., and Establishments. 3. Vaccination of children. 4. Vaccination of prisoners. 5. Inoculation. 6. Supplemental.

IV.—MADRAS PRESIDENCY.

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I.—AJMERE, ASSAM, SAMBALPUR DISTRICT (BENGAL), BURMA, CENTRAL PROVINCES, COORG, N.-W. FR. PROVINCE, PUNJAB AND UNITED PROVINCES.

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Definitions	Act13,1880,s.2. Bur.Act1,1909,s.3. Bur.Act6,1908,ss.2,5.
Power of Local Government to extend Act—	
to municipality, on application of Municipal Commissioners .	Act13,1880,s.3.
to cantonment	" s.4.
to notified area	" s.3A(ins.U. P.Act1,1907,s.6).
Power of Local Government to withdraw local area in municipality or cantonment from operation of Act	" s.5. U.P.Act2,1907,s.7.

2. Vaccination-circles and Establishments.

Vaccination-circles . . . . . Appointment of vaccinators and Superintendent of Vaccination .	Act13,1880,s.7.
Licensing of private vaccinators	" s.8. Bur.Act6,1908,s.4.
Prohibition of unlicensed vaccinators	(Bur.)Bur.Act6,1908,s.4.

3. Vaccination of children.

Vaccination of children compulsory; memorandum of vaccination or certificate of temporary unfitness therefor; inspection after vaccination; certificate of successful vaccination; re-vaccination where first operation unsuccessful; certificate of unsusceptibility to successful vaccination	Act13,1880,ss.9to14. Bur.Act1,1909,s.4.
What lymph to be used	" s.15.
No fee to be charged except by private vaccinator or beyond circle	" s.16.
Superintendent to make enquiries as to unvaccinated children and issue notice to parent or guardian; reference to Magistrate; his powers	" ss.17,18.

VACCINATION—*contd.*

I.—AJMERE, ASSAM, SAMBALPUR DISTRICT (BENGAL), CENTRAL PROVINCES, COORG, N.-W. FR. PROVINCE, PUNJAB AND UNITED PROVINCES—*contd.*

4. Vaccination of unprotected persons.

Power to direct vaccination in Rangoon municipality and notified municipalities of children, unprotected persons, inmate of lodging house, factory, etc.; powers of entry and search for unprotected person; inspection after vaccination; certificate of successful vaccination; re-vaccination; certificate of unsusceptibility to successful vaccination	Bur.Act1,1909,ss.5to12.

5. Inoculation.

Prohibition of inoculation and entry of inoculated person into area subject to Act; penalty	Act13,1880,ss.6,22.
Penalty for inoculation in Kumaon, Garhwal or Tarai Parganas or for entry of inoculated person therein; reward to informer .	[1]Act24,1868.
Power of Local Government to prohibit inoculation in certain areas; penalty	Bur.Act6,1908,s.3.

6. Supplemental.

Power to make rules for enforcement of Act	Act13,1880,ss.19to21 (s.19A ins.,s.21am.U.P. Act2,1907,ss.8,9).
Offences and penalties	,, s.22 (am.U.P.Act2,1907,ss.10, 11. Bur.Act1,1909,ss.13to16.
Receipts and expenditure under Act in municipality to be credited and debited to Municipal Fund	Act13,1880,s.23.

II.—BENGAL (EXCEPT SAMBALPUR DISTRICT), EASTERN BENGAL AND ASSAM.

1. Preliminary.

Ben. Act 4, 1865 (Inoculation)—	
applies to town of Calcutta, to Howrah and to suburbs of Calcutta	Ben.Act4,1865,s.3.
may be extended by Local Government to other places . .	
declared in force in the Santhál Parganas	Reg.3,1872,s.3.
Ben. Act 5, 1880, applies to town and port of Calcutta and may be extended by Local Government to other areas; procedure for extension; power to suspend operation of Act in any place .	Ben.Act5,1880,s.1.
Definitions	,, s.2. Ben.Act2,1887,s.2.

2. Vaccine-stations and Establishments.

Municipal Corporation of Calcutta to appoint public vaccine-stations, public vaccinators and establishments; notification of stations and time of vaccinator's attendance	Ben.Act5,1880,s.14.
Power of Municipal Corporation of Calcutta to make rules as to expenses, salaries and fees	,, s.15.
Health Officer for town of Calcutta to be *ex-officio* Superintendent of Vaccination; his powers and duties; his assistants . . .	,, s.16.
Expenses to be defrayed by Municipal Corporation of Calcutta .	,, s.17.
Powers, etc., of Municipal Corporation of Calcutta by whom to be exercised beyond Calcutta	,, s.25.

[1] Act 24, 1868, has been extended to the Tarai Parganas by notification under the Scheduled Districts Act, 1874.

VACCINATION—*contd.*

II.—BENGAL (EXCEPT SAMBALPUR DISTRICT), EASTERN BENGAL AND ASSAM—*contd.*

3. Vaccination of children.

Vaccination of children compulsory; service of notice by Superintendent of Vaccination	Ben. Act 5, 1880, s. 3, First Sch.
Inspection after vaccination; re-vaccination where first operation unsuccessful; certificate of temporary unfitness for vaccination	,, ss. 4, 5, 10, Sch. A.
Certificate of successful vaccination	,, ss. 5, 7, Sch. C.
,, of insusceptibility to successful vaccination or of child having been successfully inoculated or having had small-pox	,, s. 6, Sch. B.
No fee to be charged by public vaccinator except when vaccination performed beyond public vaccine-station	,, ss. 4, 8
Order by Magistrate for vaccination; penalty for disobedience; award of costs where persons improperly summoned	,, s. 26.
Registrar of Births to give notice to parent, etc., that child must be vaccinated	,, s. 18, Sch. E.
Vaccinators giving certificate under Act to parent or guardian to send copy to Registrar of Births; Registrar to report to Superintendent if certificates not sent	,, ss. 19, 23, Schs. A, B, C.
Registrar of Births to record notices of vaccination, etc.	,, ss. 20 to 22, Schs. A, B, C, F.
Power to transfer to another duties of Registrar of Births under ss. 19 to 23	,, s. 24.
Superintendent of Vaccination to show, in annual return, number of children vaccinated, etc.	,, s. 32.

4. Vaccination of unprotected persons.

Vaccination compulsory on service of notice from Superintendent of Vaccination or Health Officer of port of Calcutta; power of Health Officer to require vaccination of person suffering from small-pox on vessel arriving in that port	Ben. Act 5, 1880, ss. 11, 13.
Occupier of house, vessel, etc., in town or port of Calcutta, suburbs of Calcutta or Howrah to allow access for ascertaining whether inmates protected; examination of females	,, s. 13A.
Application of ss. 3 to 10 of Act to	,, s. 12.

5. Inoculation.

Penalty for producing small-pox by inoculation, etc.	Ben. Act 4, 1865, s. 1.
,, on inoculated person entering area subject to Act	,, s. 2.
Application of certain provisions of Code of Criminal Procedure, etc., to offences against Ben. Act 4, 1865; reward to informer	,, s. 4.

6. Supplemental.

Power to make rules for working of Act	Ben. Act 5, 1880, s. 33.
Continuance of prior rules and orders in Calcutta; power to alter or cancel them	Ben. Act 2, 1890, s. 5.
Penalty for not producing child before Magistrate	Ben. Act 5, 1880, s. 27.
,, on unprotected person not submitting himself for vaccination or for inspection thereafter	,, s. 28(*a*), (*d*).

VACCINATION—*contd.*

II.—BENGAL (EXCEPT SAMBALPUR DISTRICT) EASTERN BENGAL AND ASSAM—*concld.*

6. Supplemental—*contd.*

Penalty for not taking child to be vaccinated or inspected	Ben.Act5,1880,s.28(*b*).
„ for not giving certificate, or for making false certificate	„ s.29.
„ for obstructing public vaccinator, or for vexatious entry by public vaccinator	„ ss.29A,29B.
Limitation of prosecutions under s. 28	„ s.28.
Cognizance of offences; authority for institution of prosecution	„ ss.13,30.
Production of certificate at trial	„ s.31.
Fees in Calcutta to be paid to Municipal Corporation, and elsewhere to be appropriated as Local Government may direct	„ s.9.
Vaccination to be carried on in Bengal and Eastern Bengal by District Boards; their duties and powers; powers of Inspector of Vaccination appointed by Board; power of Commissioner to make rules for guidance of Board	(Ben.,E.B.)Ben.Act3, 1885,ss.92to95.
Ss. 92 to 95 of Ben. Act 3, 1885, to form part of Ben. Act 5, 1880	„ s.96.
Power to make rules for promotion of free vaccination by District Boards, Local Boards and Union Committees	(Ben.)Ben.Act3,1885,s. 138K(am.Ben.Act5,1908, s.60).

III.—BOMBAY PRESIDENCY.[1]

1. Preliminary.

Procedure for applying Bom. Act 1, 1892, to local areas	Bom.Act1,1892,s.2.
Power to suspend Act in, or withdraw Act from, local areas to which applied	„ s.3.
Definitions	Bom.Act1,1877,s.2 (am.Bom.Act3,1907,s.2). Bom.Act4,1879,s.2. Bom.Act1,1892,s.4.

2. Vaccination-circles, etc., and Establishments.

Vaccination districts or circles Appointment of public vaccinators „ of public vaccine-stations Notification of districts or circles, stations, and times of vaccinator's attendance	Bom.Act1,1877,s.3(am. Bom.Act3,1907,s.3). Bom.Act4,1879,s.3. Bom.Act1,1892,s.5.
Public vaccinator to reside in his district or circle and post his name	Bom.Act1,1877,s.4(am. Bom.Act3,1907,s.4). Bom.Act4,1879,s.4. Bom.Act1,1892,s.6.
„ „ to have certificate of qualification	Bom.Act1,1877,s.5(am. Bom.Act3,1907,s.5). Bom.Act4,1879,s.5. Bom.Act1,1892,s.7.
Superintendent of Vaccination; appointment, powers and duties of assistants to	Bom.Act1,1877,s.6(am. Bom.Act3,1907,ss.4,6). Bom.Act4,1879,s.6. Bom.Act1,1892,s.8.

Vaccination to be carried on under authority of Local Boards.
See LOCAL SELF GOVERNMENT, IV, 3

[1] Bom. Act 1, 1877, applies to the City of Bombay and Bom. Act 4, 1879, to the town of Karachi. S. 33 of Bom. Act 1, 1892, applies to the whole of the Bombay Presidency, and the other sections of that Act may be applied to any area (other than the City of Bombay and the town of Karachi) by the Local Government.

VACCINATION—*contd.*

III.—BOMBAY PRESIDENCY—*contd.*

3. Vaccination of children.

Vaccination of children compulsory; inspection after vaccination; re-vaccination where first operation unsuccessful; certificate of temporary unfitness for vaccination	Bom.Act1,1877,ss.7,8,9, Sch.A. Bom.Act4,1879,ss.7,8,9, Sch.A. Bom.Act1,1892,ss.9to11, Sch.A.
Certificate of successful vaccination	Bom.Act1,1877,ss.9,11, Sch.C. Bom.Act4,1879,ss.9,11, Sch.C. Bom.Act1,1892,ss.11(2), 13,Sch.C.
" of insusceptibility to successful vaccination or of child having had small-pox	Bom.Act1,1877,s.10,Sch. B. Bom.Act4,1879,s.10,Sch. B. Bom.Act1,1892,s.12,Sch. B.
Order by Magistrate for vaccination; penalty for disobedience; award of costs where person improperly summoned	Bom.Act1,1877,s.21. Bom.Act4,1879,s.21. Bom.Act1,1892,s.23.
What lymph to be used	Bom.Act1,1877,s.12. Bom.Act4,1879,s.12. Bom.Act1,1892,s.14.
No fee to be charged by public vaccinator except when vaccination performed beyond public vaccine-station	Bom.Act1,1877,s.13. Bom.Act4,1879,s.13. Bom.Act1,1892,s.15.
Registrar of Births to give notice to parent, etc., that child must be vaccinated	Bom.Act1,1877,s.14,Sch. D. Bom.Act4,1879,s.14,Sch. D. Bom.Act1,1892,s.16,Sch. D.
Vaccinator giving certificate under Act to parent or guardian to send copy to Registrar of Births; Registrar to report to Superintendent if certificates not sent	Bom.Act1,1877,ss.15,19 (am.Bom.Act3,1907,s.4), Schs.A,B,C. Bom.Act4,1879,ss.15,19, Schs.A,B,C. Bom.Act1,1892,ss.17,21, Schs.A,B,C.
Registrar of Births to record notices of vaccination, etc.	Bom.Act1,1877,ss.16to18, (ss.16,17,am.Bom.Act3, 1907,s.4),Schs.A,B,C,E. Bom.Act4,1879,ss.16to18, Schs.A,B,C,E. Bom.Act1,1892,ss.18to20, Schs.A,B,C,E.
Health Officer or Registrar of Births to show, in annual abstract of births and deaths, number of children vaccinated, etc.	Bom.Act1,1877,s.30(am. Bom.Act3,1907,s.7). Bom.Act4,1879,s.30. Bom.Act1,1892,s.31.

VACCINATION—*concld.*

III.—BOMBAY PRESIDENCY—*concld.*

4. Vaccination of Prisoners.

Vaccination of certain prisoners and criminal lunatics under confinement compulsory . . . . . Bom. Act 1, 1892, s. 33.

5. Inoculation.

Penalty for producing small-pox by inoculation, etc. . . Bom. Act 1, 1877, s. 20. Bom. Act 4, 1879, s. 20. Bom. Act 1, 1892, s. 22.

" on inoculated person entering area subject to Act . .

6. Supplemental.

Delegation to municipal officer of power of Commissioner under Bom. Act 1, 1877 . . . . . (Bo. City) Bom. Act 3, 1888. s. 68A (ins. Bom. Act 3, 1907, s. 12).

Power to make rules for enforcement of Act . . . . Bom. Act 1, 1877, s. 31 (am. Bom. Act 3, 1907, s. 6). Bom. Act 4, 1879, s. 31. Bom. Act 4, 1892, s. 32.

Provision of books and forms . . . . . Bom. Act 1, 1877, s. 29 (am. Bom. Act 3, 1907, s. 4). Bom. Act 4, 1879, s. 29. Bom. Act 1, 1892, s. 30.

Penalty for not producing child before Magistrate . . . Bom. Act 1, 1877, s. 22. Bom. Act 4, 1879, s. 22. Bom. Act 1, 1892, s. 24.

" " not taking child to be vaccinated or inspected, or for preventing taking of lymph from child . . Bom. Act 1, 1877, s. 23(*a*),(*b*). Bom. Act 4, 1879, s. 23(*a*),(*b*). Bom. Act 1, 1892, s. 25(*a*),(*b*).

" " not giving certificate, or for making false certificate. Bom. Act 1, 1877, ss. 23(*c*), 24. Bom. Act 4, 1879, s. 23(*c*), 24. Bom. Act 1, 1892, ss. 25(*c*), 26.

" " illegally accepting fee . . . . . Bom. Act 1, 1877, s. 25. Bom. Act 4, 1879, s. 25. Bom. Act 1, 1892, s. 27.

Cognizance of offences; sanction to prosecution . . . Bom. Act 1, 1877, s. 26 (am. Bom. Act 3, 1907, s. 6). Bom. Act 4, 1879, s. 26. Bom. Act 1, 1892, s. 28.

Production of certificates at trial . . . . . Bom. Act 1, 1877, s. 27. Bom. Act 4, 1879, s. 27. Bom. Act 1, 1892, s. 29.

Recovery of fines . . . . . Bom. Act 1, 1877, s. 28.

IV.—MADRAS PRESIDENCY.

Vaccination to be carried on under authority of Local Boards. *See* LOCAL SELF-GOVERNMENT, VII, **3**, **7**.

Vaccination in municipalities:

Madras Districts. *See* MUNICIPALITY, XIV, **6** (*m*).

" City. " " XV, **6** (*k*).

V.—OTHER PLACES.

Power to apply Act 13, 1880, to bazars in British Baluchistan . Reg. 5, 1910, s. 87.

VAGRANT (EUROPEAN).

Act 9, 1874, extends to whole of British India and to Native States . . . . . Act9,1874,s.1.

" " declared in force in—

the Santhál Parganas . . . . . Reg.3,1872,s.3.

the Arakan Hill District . . . . . Reg.9,1874,s.3.

Upper Burma generally (except the Shan States) . Act13,1898,s.4,Sch.1.

British Baluchistan . . . . . Reg.1,1890,s.3.

Angul District . . . . . Reg.1,1894,s.3.

" " certain sections of, not to come into force in certain places till notified . . . . . Act9,1874,s.1.

Definitions . . . . . " s.3.

Power of police to take vagrant before Presidency Magistrate or Justice of the Peace . . . . . " s.4.

Power of Magistrate or Justice of the Peace to make declaration of vagrancy and forward vagrant to workhouse or to place of probable employment . . . . . Act9,1874,ss.5to7,24.

Subsistence allowance to, while in charge of police or seeking employment . . . . . " s.8.

Power of Magistrate or Justice of the Peace to give certificate exempting person from liability to be dealt with as. . . . " s.9,Sch.I.

Power to invest certain persons with powers of Justice of the Peace . . . . . " s.10.

Government workhouse :

Provision and superintendence of . . . . . " ss.11,12.

Search of vagrant in ; discipline . . . . . " ss.13,14.

Punishment of vagrant in, refusing to accept outside employment, etc. . . . . " ss.15,20.

Removal of, from India . . . . . "ss.16,17,18,21, 22,34,Sch.II.

Penalties for offences by . . . . . " ss.15,19to 23.

Penalty on ship-master bringing European convict to India . " s.25.

Recovery and application of fines imposed under Act . . " s.26.

Conduct of prosecutions and jurisdiction of Magistrates or Justices under Act . . . . . " ss.27to29.

How far deprived of privileges of European British subject under Code of Criminal Procedure . . . . . " s.30.

Liability of importer of person who becomes . . . . " s.31.

" employer of soldier who becomes . . . . " s.31.

" consignee, etc., when person brought to India in charge of animals becomes . . . . . " s.32.

Evidence of vagrancy for purposes of ss. 30 to 32 . . . " s.33.

Who to exercise in Native States the powers conferred by Act on Magistrates, Justices and police-officers . . . . " s.35.

Power of Governor General in Council to make rules for enforcement of Act . . . . . " s.36.

VAKIL. *See* LEGAL PRACTITIONER, I.

VALUATION OF SUITS.

Act 7, 1887, ss. 3 to 6, extend only to notified arears . . Act7,1887,s.2.

" " ss. 8, 9, 11, extend to whole of British India . . " ss.7, 18(5).

VALUATION OF SUITS—*contd.*

Act 7, 1887, declared in force in British Baluchistan . . Reg.1,1890,s.3.

" " " " in Upper Burma except Shan States . . . . . Act13,1898,s.4,Sch.I.

Power to make rules for determining value of land in certain cases for purposes of jurisdiction; effect of rules . . . Act7,1887,ss.3to5.

In certain cases value or computation of court-fees and value for purposes of jurisdiction to be the same . . . . " s.8.

Power of High Court in certain cases to determine value for all purposes . . . . . " s.9.

Procedure where objection is taken on appeal or revision that suit or appeal was not properly valued for purposes of jurisdiction . . . . . " s.11.

For purposes of jurisdiction, in Madras Presidency . . . Act3,1873,s.14(rep.locallyAct7,1887,s.6). Act7,1892,s.9.

For computation of court-fees. *See also* COURT-FEES, 3.

VALUE; definitions of. *See* WORDS AND PHRASES.

VENUE.

In proceedings against Colonial Governor, etc., for oppression, etc., abroad . . . . . 11W.3,c.12.

VESSEL; definitions of. *See* WORDS AND PHRASES.

Carrying in unsafe vessel. *See* CRIMINAL LAW (IND.), 12.

VICE-ADMIRALTY COURT. *See* COLONIAL COURT OF ADMIRALTY AND VICE-ADMIRALTY COURT.

VICTORIA MEMORIAL ACT, 1903. (*See* VICTORIA MEMORIAL) Act10,1903.

VICTORIA MEMORIAL.

Calcutta:

Trustees of Victoria Memorial; constitution, incorporation, and powers of; property of . . . . . Act10,1903,s.3.

Officers of, to be deemed public servants . . . . " s.4.

Rules . . . . . " s.5.

Rangoon:

Trustees of Victoria Memorial; incorporation, powers and property of . . . . . Bur.Act1,1908,ss.2,3.

Officers of, to be deemed public servants . . . . " s.4.

Rules . . . . . " s.5.

Validation of past proceedings . . . . . " s.6.

VILLAGE ACT (BURMA), 1907. (*See* VILLAGE, C) . . Bur.Act6,1907.

" AND ROAD POLICE ACT (UNITED PROVINCES), 1873. (*See* POLICE, III, F) . . . . Act16,1873.

" CHAUKIDARI ACT, 1870. (*See* CRIMINAL PROCEDURE; POLICE, II, B; REGISTRATION OF BIRTHS, ETC.) Ben.Act6,1870.

" OFFICERS ACT (SINDH), 1881. [*See* VILLAGE, B, 1 (*c*)] . . . . . Bom.Act4,1881.

" POLICE ACT (BOMBAY), 1867. (*See* POLICE, III, B) . . . . . Bom.Act8,1867.

" " " AMENDMENT ACT (BOMBAY), 1876. (*See* POLICE, III, B) . . . Bom.Act1,1876.

" SANITATION ACT (BOMBAY), 1889. (*See* VILLAGE, B, 2) . . . . . Bom.Act1,1889.

VILLAGE SANITATION ACT (CENTRAL PROVINCES), 1902. (*See* VILLAGE, E, 2) . . Act 11, 1902.
" " " (UNITED PROVINCES), 1892. (*See* VILLAGE, G, 2) . . U.P. Act 2, 1892.
" " REGULATION (AJMERE), 1895. (*See* VILLAGE, A, 2) . . . Reg. 4, 1895.

VILLAGE.

1802. Mad. Reg. 25, s. 11 (Karnams, Madras).
" Mad. Reg. 29 (Karnams, Madras).
1816. Mad. Reg. 11 (Headmen Madras).
1821. Mad. Reg. 4, s. 6 (Headmen, Madras).
1827. Bom. Reg. 12, s. 37 (*1*), (*2*) (Fines on Villagers, Bombay).
1874. Act 15, ss. 4,5 (Laws Local Extent).
" Bom. Act 3 (Hereditary Offices, Bombay).
1881. Bom. Act 4 (Village-officers, Sindh).
1886. Bom. Act 5 (Hereditary Offices, Bombay).
1887. Bom. Act 6 (Matadars, Bombay).
1889. Bom. Act 1 (Village Sanitation, Bombay).
1891. Reg. 4, s. 9 (Agror Valley).
1892. U. P. Act 2 (Village Sanitation, United Provinces).
1894. Mad. Act 2 (Village-officers, Madras).
1895. Mad. Act 3 (Hereditary Village-officers, Madras).
" Reg. 4 (Village Sanitation, Ajmere).
1897. Mad. Act 4, s. 15 (Survey marks).
1902. Act 11 (Village Sanitation, C. P).
1903. Punj. Act 1, s. 5 (Transport Registration).
1907. Bur. Act 6 (Villages, Burma).
1908. Mad. Act 1, ss. 20 to 22, 58 (Estate Land).

GENERALLY.

A.—AJMERE . . . . . 1. Village-officers. 2. Sanitation. 3. Miscellaneous.

B.—BOMBAY PRESIDENCY . . . 1. Village-officers. (*a*) GENERALLY. (*b*) WATANDARS (HEREDITARY VILLAGE-OFFICERS), (*c*) VILLAGE-OFFICERS IN SINDH. 2. Sanitation. 3. Miscellaneous.

C.—BURMA.

D.—UPPER BURMA.

E.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT (BENGAL) . 1. Village-officers. 2. Sanitation.

F.—MADRAS PRESIDENCY . . . 1. Village-officers. (*a*) GENERALLY. (*b*) HEREDITARY VILLAGE-OFFICERS. (*c*) KARNAMS. 2. Miscellaneous.

G.—UNITED PROVINCES . . . 1. Village-officers. 2. Sanitation.

H.—OTHER PROVINCES.

GENERALLY.

Definitions of "village," "village-cess," etc. *See* WORDS AND PHRASES.

Village-forests. *See* FOREST, 1, 2, 6, 7.

VILLAGE—*contd.*

GENERALLY—*contd.*

Enrolment of village police under Act 5, 1861. *See* POLICE, I, A, 5.

Authority of other police-officers over village-police. *See* POLICE, I, A, 2.

Police in. *See also* POLICE, II, III.

Patwaris and Kanungos. *See* PATWARIS AND KANUNGOS.

A.—AJMERE.

1. Village-officers.

Village-officers; appointment, etc., of. *See* LAND-REVENUE, II, 5.

" recovery of land-revenue through. *See* LAND-REVENUE, II, 4.

2. Sanitation.

Power of Local Government to make rules for regulating conservancy and water-supply, prohibiting public nuisances and otherwise improving sanitation	Reg.4,1895,s.3.
Penalties for breach of rules	" s.4(*1*).
Application of fines	" s.4(*2*).

3. Miscellaneous.

See LAND, B.

B.—BOMBAY PRESIDENCY.

1 Village-officers.

(*a*) GENERALLY.

Appointment, etc., of village-officers. *See* LAND-REVENUE, VII, A, 2.

(*b*) WATANDARS (HEREDITARY VILLAGE-OFFICERS).

Bom. Act 3, 1874, extends to regulation districts of Bombay Presidency	Bom.Act3,1874,s.1.
" " " not to affect certain other laws	" ss.1,85.
" " " ss. 24 to 62 do not apply to offices of lower degree than patel or kulkarni	" s.3.
Definitions	" s.4.
Restrictions on alienation or attachment of watans, and powers of Collector for protection of watans	" ss.5to11, 11A,12,13.
Power of Collector to combine watans	" s.14(*1*).
" " commute service of watandars	" ss.15(*1*),16.
" " determine amounts payable by watandars, and rights and duties of watandars, or to appoint panchayat to do so	" ss.17to20.
Creation and lapse of watans	" s.22.
Liability of watandars to render service	" s.69.
Female members of watan family:	
Not to perform duties of hereditary office in person	" s.51.
Postponement of interest of Extent of widow's interest	Bom.Act5,1886,s.2.

VILLAGE—*contd.*

B.—BOMBAY PRESIDENCY—*contd.*

1. Village-officers—*contd.*

(*b*) WATANDARS (HEREDITARY VILLAGE-OFFICERS)—*contd.*

Offices of patel or kulkarni and higher offices:

Representative watandars:

Duties appertaining to hereditary office to be performed by — Bom. Act 3, 1874, s. 24.

Ascertainment and registration of, and ascertainment of custom as to service — „ ss. 25 to 32.

Notice of adoption by — „ ss. 33 to 35.

Report of death of; registration of name of heir; rule of primogeniture presumed to prevail in watan family — „ s. 36 (sub. Bom. Act 3, 1910, s. 2).

Exercise by guardian of powers of minor — „ s. 37.

Period of service of — „ s. 38.

Heads of family of deputies when to be regarded as — „ s. 56.

Officiator:

Remuneration of — „ s. 23.

Succession to, by his heir — „ s. 39.

Election or appointment of, in rotation watan — „ ss. 40, 41.

Power to remove officiator who becomes unfit to officiate — „ s. 46 (sub. Bom. Act 3, 1910, s. 2).

Appointment, removal, etc., of deputy — „ ss. 42, 43, 46 to 49 (sub. Bom. Act 3, 1910, s. 2), 51 to 55 (s. 53 am. Bom. Act 3, 1910, s. 2).

Number of — „ s. 43.

Qualifications of — „ s. 45 (am. Bom. Act 3, 1910, s. 2).

Entitled to serve on cessation of disqualification — „ s. 47, proviso (sub. Bom. Act 3, 1910, s. 2).

Representative watandar entitled to officiate in place of deputy removed, etc. — „ s. 48 (sub. Bom. Act 3, 1910, s. 2).

Offences by, and penalties imposable on, watandars — „ ss. 57, 58, 60 to 62, Sch. II (ss. 58, 60 and Sch. II am. Bom. Act 3, 1910, s. 2).

Right of watandar to sign village-records — „ s. 71.

Offices of lower degree than that of patel or kulkarni:

Registration of watandars, determination of their rights, etc; appointments, etc. — „ ss. 63, 64.

Keeping and correction of registers by Collector — „ ss. 65 to 68.

Watan-records: to be Government property; enforcement of their production — „ s. 70.

VILLAGE—*contd.*

B.—BOMBAY PRESIDENCY—*contd.*

1. Village officers—*concld.*

(*b*) WATANDARS (HEREDITARY VILLAGE-OFFICERS)—*concld.*

Power of Collector to take evidence	Bom.Act3,1874,s.72.	
Orders in certain cases not to be passed without formal investigation	,,	s.73.
Deputation of mamlatdar or mahalkari to make investigation	,,	s.75.
Appeals from orders	,,	ss.76to78.
Control by Local Government	,,	s.74.
Local Government's powers of revision; delegation of certain powers to Commissioners	,,	s.79(am. Bom.Act3, 1910,s.2).
Power of Local Government to make rules	,,	s.82.
,, ,, ,, to determine duties of hereditary officers	,,	s.83.
,, ,, ,, to delegate powers of Collector and other officers	,,	s.84.
Service of notices	,,	s.80.
Recovery of moneys	,,	s.81.
Matadars:		
Bom. Act 6, 1887, extends to districts of Ahmedabad, Broach, Kaira and Surat, and may be extended by notification to villages in Panch Mahals District	Bom.Act6,1887,s.1.	
Definitions	,,	s.2.
Rule of primogeniture to be presumed to prevail in Matadar family	,,	s.2(*8*)(add. Bom.Act3, 1910,s.3).
General modification of Bom. Act 3, 1874, in its application to	,,	s.3.
Further special provisions as to	,,	ss.5to32(ss. 9,20,21,22, 30,31am., s.22A ins., Bom.Act3, 1910,s.3).

(*c*) VILLAGE-OFFICERS IN SINDH.

Definition of "village-officer"	Bom.Act4,1881,s.2.	
Appointment, etc., of village-officers	,,	s.3.
Grant of hereditary office	,,	s.4.
Police-powers of village-officers	,,	s.5.
Restrictions on alienation of remuneration of village-officer	,,	s.7.
Power of Commissioner to make rules	,,	s.8.

2. Sanitation.

Bom. Act 1, 1889, applies to whole of Bombay Presidency except certain Scheduled Districts	Bom.Act1,1889,s.2.	
,, ,, ,, when and how long to be in force	,,	ss.5to7.
Sanitary Committees:		
Constitution of	,,	ss.8,10.
Record of proceedings of	,,	s.9.

VILLAGE—*contd.*

B.—BOMBAY PRESIDENCY—*concld.*

2. Sanitation—*contd.*

Sanitary Committees—*contd.*

Power of, to make rules as to water-supply, cleansing, prevention of nuisances and insanitary acts, etc.	Bom.Act1,1889,s.11.	
Procedure for making and suspending such rules	,,	s.12.
Prosecutions for breach of rules; appeals	,,	ss.13to15.
Power of, to spend money for sanitary measures; accounting for subscriptions; power to impose a rate	,,	ss.16to18.
Power of, to contribute towards cost of work undertaken by Local Board	,,	s.18(*3*).

Sanitary Boards:

Constitution of	,,	s.19.
Record of proceedings of	,,	s.25.
To have powers and functions of Sanitary Committee	,,	s.20.
Sanitary Inspector and other officers for; appointment, etc., of	,,	s.21.
,, ,, duties of	,,	s.22.
Prosecution for breach of rules; appeals	,,	ss.23,24.
Orders of, by whom to be executed	,,	s.25.
Power of, to make contracts and construct works	,,	ss.26,27.
Provisions as to finance and taxation	,,	ss.28to30.

Sanitary Committees and Boards:

Certain officials to advise	,,	s.31.
Removal of members; filling of vacancies	,,	ss.32,33.
Decisions of, to be by majority of votes	,,	s.34.
Signing of summonses, etc., issued by	,,	s.35.
Penalty for breach of rules made by	,,	s.36.
Recovery of fines and taxes	,,	ss.37,38.
Application of fines	,,	s.39.
Contributions and loans to, from Local Board	,,	s.40.
Relations of, to each other and to Local Boards	,,	s.41.
Power to place certain village-servants under authority of; recovery of dues of such servants	,,	ss.42,43.

Miscellaneous provisions:

Delegation of Collector's functions	,,	s.44.
Control over Collectors, etc.	,,	s.45.
Indemnity for acts done in good faith	,,	s.46.

3. Miscellaneous.

Power to fine villagers when robbery committed in village; recovery of fine	Bom.Reg.12,1827,s.37(*1*), (*2*).	
Bom. Reg. 12, 1827, s. 37 (*1*), (*2*), declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts	Act15,1874,s.5,Sch.III.	

See also FRONTIER, F; LAND, D (*b*).

VILLAGE—*contd.*

C.—BURMA.

Bur. Act 6, 1907, extends to whole of Burma	Bur. Act 6, 1907, s.1.	
Definitions	,,	s.4.
Declaration of village-tracts: villages appointed under Act 3, 1889[1], and Reg. 14, 1887[1], continued	,,	s.5.
Headman; appointment of	,,	s.5(2).
,, duties of (*see also* EMBANKMENT)	,,	ss.7,8.
,, trial by, of petty criminal cases	,,	ss.9,16.
,, civil jurisdiction of	,,	s.6.
,, penalty for breach of duty, etc., by	,,	s.10.
,, obligation of villagers to assist	,,	s.11(*d*).
,, protection of emoluments of	,,	s.25.
,, restriction on prosecution of	,,	s.28.
Bar to jurisdiction of Civil Courts over claim to office of headman or other village-officer	,,	s.26.
Villagers; general duties of; penalty for failure to perform duty	,,	ss.11,12.
Control over settlement of strangers in village	,,	ss.15 to 19.
Power to require removal of resident from village	,,	s.20.
Penalty for holding, etc., unlicensed *pwé*	,,	s.21.
Power to fine villagers accessory to crime, or where homicide is committed or attempted in the village	,,	ss.13,14.
Recovery of fines	,,	s.22.
Revision of, and finality of, orders under Act 3, 1889[1]	,,	s.23.
Delegation of Deputy Commissioner's powers	,,	s.24.
Power of Local Government to make rules	,,	s.29.
Bur. Act 6, 1907, to take effect notwithstanding other enactments	,,	s.3.

D.—UPPER BURMA.

Villages in hills. *See* CHIN HILLS; KACHIN HILLS.

E.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT (BENGAL).

1. Village-officers.

Appointment, etc., of village-officers. *See* LAND-REVENUE, XI, 4 (*c*).

2. Sanitation.

Power to declare village to be in insanitary state and extend Act thereto	Act 11, 1902, s.2.	
Panchayat; formation of	,,	s.3.
,, to determine sum annually required for conservancy and sum from time to time required for water-supply, village-roads or other works of public utility	,,	s.4.
Modes of raising such sums: assessment on houses and lands; license-fees on professional weighmen or measurers; tolls; rents from dealers temporarily occupying open ground; fees on registration of cattle sales	,,	ss.5,6.
Power of Local Government to make rules as to panchayat, tax and conservancy, and prohibiting public nuisances, etc.	,,	s.7.
Recovery of arrears of taxes	,,	s.8.

[1] Repealed by Bur. Act, 6, 1907.

VILLAGE—*contd.*

F.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT (BENGAL)—*contd.*

2. Sanitation—*contd.*

Penalty of unlicensed or unauthorized persons charging fees . . Act 11, 1902, s.9.
Initiation of prosecutions . . . . . „ s.10.
Power to withdraw Act and transfer funds to District Council or Local Board . . . . . „ s.11.
Exclusion of authority of District Council and Local Board while Act in force . . . . . „ s.12.

F.—MADRAS PRESIDENCY.

1. Village-officers.

(*a*) GENERALLY.

Power to extend Mad. Act 2, 1894, to any estate and to village-accountants, village-headmen and village-watchmen or police-officers . . . . . Mad. Act 2, 1894, s.2.
Definitions . . . . . „ s.4.
Register of establishments . . . . . „ ss.5, 31.
Number of officers for village . . . . . „ s.7.
Division or grouping of villages, and appointment of village-officers for new villages so formed . . . . . „ ss.6, 15.
Power of proprietor, Collector or Revenue-officer to fine, suspend or dismiss village-officers . . . . . „ s.16.
Filling of vacancies . . . . . „ ss.8 to 14, 31.
Village-service-cess:
Imposition of . . . . . „ s.19.
Rate of . . . . . „ s.19.
„ ascertainment of annual rent-value of lands for purpose of settling; appeal . . . . . „ ss.20 to 24, 31.
Payment of, by proprietor; recovery of part of, by proprietor from tenants . . . . . „ s.25.
Increase and reduction of permanent assessment, in connection with charges for maintenance of village officers . . . „ s.27.
Power to enfranchise village-service inams by imposition of quit-rent . . . . . „ s.17.
Collection and recovery of such quit-rent . . . . . „ s.18.
Village Service Fund:
Constitution of . . . . . s.28.
Application of . . . . . „ ss.6(3), 29.
Prohibition of levy of fees, contributions, etc. . . . . „ s.30.
Power of Board of Revenue to make rules for working of Mad. Act 2, 1894 . . . . . „ s.32.
Bar to jurisdiction of Civil Courts in certain matters . . . „ s.33.
Appeals to be transferred to Board of Revenue in certain cases . „ s.34.
Power of Board of Revenue to make rules as to publication of administration reports under Mad. Act 2, 1894 . . . . Mad. Act 3, 1895, s.20(ix).

VILLAGE—*contd.*

F.—MADRAS PRESIDENCY—*contd.*

1. Village-officers—*contd.*

(*b*) HEREDITARY VILLAGE-OFFICERS.

To what village-officers Mad. Act 3, 1895, applies (police-officers included) . . . . . Mad.Act3,1895,s.3(am.Act 4,1907).
Definitions . . . . . ,, s.4.
Re-grouping of villages, and appointment of hereditary village-officers for the new villages so formed . . . . . ,, s.6(am.Act 4,1907).
Power of Collector, Tahsildar or proprietor to fine, suspend or dismiss certain officers . . . . . ,, ss.7to9.
Delegation to District Superintendent or Assistant Superintendent of Police of power of punishing village watchmen or police-officers . . . . . ,, s.26.
Filling of vacancies . . . . . ,, ss.10to12.
Suits for office or emoluments:
Power to sue . . . . . ,, s.13.
Limitation of . . . . . ,, s.14.
Transfer of . . . . . ,, s.15.
Procedure in . . . . . ,, s.16.
Costs . . . . . ,, s.17.
Execution of decrees and orders . . . . . ,, s.17.
Reference of questions of law to Board of Revenue . . ,, s.18.
Bar to alienation of emoluments of . . . . . ,, s.5.
Power of Board of Revenue to make rules as to working of, and publication of administration reports under, Mad. Act 3, 1895 ,, s.20.
Bar to jurisdiction of Civil Courts in certain matters . . . ,, s.21.
Mad. Act 3, 1895, not to affect certain other laws or offices . ,, s.22.
Appeals from orders . . . . . ,, ss.23,23A, 24.
Application of ss. 5, 12 of Act 15, 1877 [1] (Limitation) . . ,, s.25.

(*c*) KARNAMS.

Mad. Regs. 25 and 29 of 1802 declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . . Act15,1874,s.4.
Appointment, maintenance and control of, by landholders . Mad.Reg.25,1802,s.11.
Appointment of, by proprietors of land, under penalty . . Mad.Reg.29,1802,ss.2,3,10.
Dismissal of, by sentence of Court . . . . . ,, s.5.
Filling of vacancies in office of . . . . . ,, s.6.
Office of, hereditary . . . . . ,, s.7.
List of . . . . . ,, s.8.
Reductions in number of . . . . . ,, s.9.
Duties of, as to keeping registers, etc. . . . . ,, ss.11,12.
When Collectors may demand accounts or returns from . . ,, ss.13,14.
Attendance of, how secured by Court or Collector . . . ,, ss.15,16.
May be compelled to swear to truth of accounts, etc. . . ,, s.17.
Penalties for delivering false accounts, etc. . . . . ,, ss.18,19.

[1] Rep. See Act 9, 1908.

VILLAGE—*contd.*

F.—MADRAS PRESIDENCY—*concld.*

1. Village-officers—*concld.*

(*c*) KARNAMS—*concld.*

Mad. Reg. 29, 1802, and s. 11 of Mad. Reg. 25, 1802, repealed as regards the office of village-accountant in estates to which Mad. Act 2, 1894 [*see above*, (*a*)] is extended	Mad. Act 2, 1894, s. 3.
,, ,, ,, repealed in areas which are not permanently settled proprietary estates	Mad. Act 3, 1895, s. 2.
Karnam to sign and register puttahs and muchalkas in respect of holdings	Mad. Act 1, 1908, s. 58.

2. Miscellaneous.

Mad. Reg. 11, 1816, ss. 8, 9, 10, 11 (*1*), 13, 14, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts	Act 15, 1874, s. 4.
Headmen to co-operate with each other for apprehension of offenders, etc.	Mad. Reg. 11, 1816, s. 8.
,, to report to police arrival of suspicious strangers	,, s. 9.
,, jurisdiction of, to punish petty offenders; report to police	,, ss. 10, 14. Mad. Reg. 4, 1821, s. 6.
,, power of, to search for and seize stolen property	Mad. Reg. 11, 1816, s. 11 (*1*).
,, ,, to hold inquests	,, s. 13.
,, and village-accountants to prevent and report destruction, injury or alteration of survey-marks	Mad. Act 4, 1897, ss. 15, 21 (iii).
Power of Board of Revenue to make rules to enhance the efficiency of the village-service	Mad. Act 2, 1894, s. 32 (x). Mad. Act 3, 1895, s. 20 (x).
Land set apart for communal use of villagers not to be assigned or used for any other purpose without written order of Collector; eviction of persons in wrongful occupation of such land	Mad. Act 1, 1908, ss. 20 to 22.

G.—UNITED PROVINCES.

1. Village-officers.

See PATWARIS AND KANUNGOS, II.

2. Sanitation.

Power to enquire into and take action to improve water-supply	U.P. Act 2, 1892, ss. 4 to 16.
U. P. Act 1, 1892, ss. 4 to 15, not to apply till notified	,, s. 3.
Power to take special measures to prevent outbreak of infectious disease	,, ss. 17 to 19.
Power of Local Government to make rules for working of Act	,, s. 20.
Recovery of sums due under Act	,, s. 21.

H.—OTHER PROVINCES.

Village-accounts. *See* LAND-REVENUE, III, 5, V, A, 5.

Patwaris and Kanungos. *See* PATWARIS AND KANUNGOS.

Santhál Parganas:

Demarcation of villages; claims to office of headman; village records. *See* LAND-REVENUE, III, 3 (*a*) (Santhál Parganas).

VILLAGE—*concld.*

H.—OTHER PROVINCES—*contd.*

Coorg:

Appointment, duties, emoluments, etc., of parpattigars and village-officers . . . . . Reg.1,1899,s.24.

Restriction on attachment or assignment of emoluments . „ s.27.

Punjab and North-West Frontier:

Appointment, etc., of village-officers. *See* LAND-REVENUE, XV, 4 (*c*).

Duty of village-officers to assist Transport Registration Officer in making enumeration of animals . . . . . [1]P.Act1,1903,s.5.

Appointment and remuneration of headmen in Agror Valley . Reg.4,1891,s.9.

See also FRONTIER, E, 2; PUNJAB, 4.

VILLAGE-COURTS ACT (MADRAS), 1889 . . . . Mad.Act1,1889.

„ „ „ (N.-W. PROVINCES AND OUDH), 1892 . . . . . U.P.Act3,1892.

VILLAGE-COURTS.

I.—BURMA.

Court of headman: civil jurisdiction of headman; no one bound to institute suit in . . . . . Bur.Act6,1907,s.6.

II.—DEKKHAN (MUNSIFS).

See DEKKHAN AGRICULTURISTS, 2.

III.—MADRAS PRESIDENCY.

A.—PANCHAYATS FOR TRIAL OF CIVIL CAUSES.

Mad. Reg. 5, 1816, and Act 8, 1840, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . . Act15,1874,s.4.

Power of Village-Munsif to summon panchayat for decision of suits of any value on agreement of parties . . . . Mad.Reg.5,1816,s.2.

Panchayat; suits for personal damages not to be referred to . „ s.12.

„ constitution of . . . . . „ s.3.

„ penalty for not serving on . . . . . „ s.3(2).

„ procedure of; attendance of parties before; attendance and examination of witnesses . . „ ss.4,5.

„ proceedings of, by whom to be written . . . „ s.10.

„ suits tried by, exempt from charges . . . . „ s.13.

„ decision of, to be by majority of votes . . . . „ s.3(1).

„ decree of . . . . . „ ss.6 to 9, Act8,1840.

„ decree of; execution of, by Munsif or District Judge . Mad.Reg.5,1816,ss.16,17. (s.16am. Mad.Act4. 1904,s.2).

„ „ no appeal allowed from, but party complaining of gross partiality may petition District Judge . . . „ s.11.

„ prosecution of member of, for corruption . . „ s.18.

Copy of Mad. Reg. 5,1816, to be kept by village-karnam . . „ s.20.

Panchayats for trial of suits as to land or crops. *See* PANCHAYAT.

[1] P. Act 1, 1903, has been extended to North-West Frontier by notification under Act 14, 1874.

VILLAGE-COURTS—*contd.*

III.—MADRAS PRESIDENCY—*contd.*

B.—MUNSIFS.

1. Preliminary.

Mad. Act I, 1889, extends to whole of Madras Presidency except the Scheduled Districts and Madras Town	Mad. Act I, 1889, s.1(2).
Power to withdraw Act from local areas; transfer of pending suits	,, ss.1(2),4.
Definitions	,, s.5(am. Mad. Act 4, 1904, s.3).

2. Constitution and Jurisdiction.

Establishment of Courts	,,	s.6.
Appointment, etc., of Village-Munsifs	,,	ss.7,8.
Benches of Munsifs	,,	ss.1(*1*),9.
Suits cognizable	,,	ss.13,14.
Transfer of suits	,,	s.21.

3. Procedure.

Place of suing	,,	s.15.
Res judicata	,,	s.17.
Suit to include the whole claim	,,	s.18.
Incidental determination of matters not cognizable by Village-Court	,,	s.19.
Limitation; application of Indian Limitation Act, 15 of 1877	,,	s.20.
Plaint	,,	ss.22,23.
Register of suits	,,	s.10.
Appearance in person or by agent	,,	s.24.
Summons to defendant	,,	ss.25to29.
Appearance of parties, and consequences of non-appearance	,,	ss.28,30to34.
Hearing, withdrawal and compromise of suits	,,	ss.35to37.
Set-off	,,	s.38.
Witnesses; summoning and examination of	,,	ss.39to43.
Adjournments for amicable settlement, etc.	,,	s.44.
Decree	,,	ss.45to47.
,, interest allowable by	,,	s.47.
,, execution of	,,	ss.48to67.
Death of party; effect of	,,	ss.68to72.
Revision by District Munsif; report by him to District Judge	,,	ss.73,74.
Procedure of Benches	,,	s.96.
Village-karnam to assist in keeping register of suits and records	,,	s.10.
Village-servant to serve summonses, etc., and seize, etc., property	,,	s.11.
Power to appoint other persons to perform duties of village-karnam and servant under s. 10.	,,	s.12.

4. Miscellaneous.

Village-Munsif not to try suit in which he is personally interested	,,	s.16.
Power of High Court to prescribe forms and returns	,,	s.75.
,, District Judge and District Munsif to inspect registers and records	,,	s.75.

VILLAGE-COURTS—*contd.*

IV.—UNITED PROVINCES (MUNSIFS).

1. Preliminary.

U. P. Act 3, 1892, extends to whole of United Provinces be applied to any district or part thereof by notification	U.P.Act3,1892,	ss.1,3.
Power to withdraw Act from local areas; transfer of pending suits	„	ss.78,79.
Definitions	„	s.2.

2. Constitution and Jurisdiction.

Establishment of Courts	„	s.4.
Appointment, etc., of Village-Munsifs	„	ss.5,6.
Suits cognizable	„	ss.9,10,17.
Transfer of suits	„	s.18.

3. Procedure.

Place of suing	„	s.11.
Res judicata and pending suits	„	s.13.
Suit to include the whole claim	„	s.14.
Incidental determination of matters not cognizable by Village-Court	„	s.15.
Limitation	„	s.16,Sch.
Plaint	„	ss.19to22.
Record of proceedings and register of suits	„	s.7.
Appearance in person or by agent	„	s.23.
Summons to defendant	„	ss.24to27.
Appearance of parties, and consequences of non-appearance	„	ss.27to32.
Hearing, withdrawal and compromise of suits	„	ss.33to35.
Set-off	„	s.36.
Witnesses; summoning and examination of	„	ss.37to42.
Adjournments for amicable settlement, etc.	„	s.43.
Decree	„	ss.44to46.
„ interest allowable by	„	s.46.
„ execution of	„	ss.47to67.
Death of party; effect of	„	ss.68to72.
Revision by District Judge	„	s.73.
Chaukidar to serve summonses, etc., and seize, etc., property	„	s.8.
Employment of persons to assist Munsifs in keeping records, etc.	„	ss.7,8.
Fees chargeable	„	s.74.
Prepayment of postage	„	s.75.

4. Miscellaneous.

Village-Munsif not to try suit in which he is personally interested	„	s.12.
Power of Local Government to— prescribe forms and returns; make rules as to custody and destruction of records; Power of District Judge to inspect registers and records	„	s.76.

VILLAGE-COURTS—*concld.*

IV.—UNITED PROVINCES (MUNSIFS)—*contd.*

4. Miscellaneous—*contd.*

Power of Local Government to make other rules . . . U.P.Act3,1892,s.77.
Bar to application of Code of Civil Procedure, Act 7, 1870 (Court-fees), and Act 9, 1887 (Provincial Courts of Small Causes) . „ s.80.

VIZAGAPATAM. *See* GANJAM AND VIZAGAPATAM.

VOLUNTARILY; definitions of. *See* WORDS AND PHRASES.

VOLUNTEERS ACT (INDIAN), 1869 . . . . . Act20,1869.
„ „ AMENDMENT ACT (INDIAN), 1896 . Act10,1896.

VOLUNTEER.

Act 20, 1869, extends to whole of British India and, as regards British subjects, to Native States . . . Act20,1869,s.2.
„ „ declared in force in—
the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
Upper Burma generally (except the Shan States) Act13,1898,s.4,Sch.I.
British Baluchistan. . . . . Reg.1,1890,s.3.
Act 10, 1896, has the same extent as Act 20, 1869 . . . Act10,1896,s.1.
„ „ declared in force in Santhál Parganas . . . Reg.3,1872,s.3,Sch.
Act 21, 1869, to apply to members of Territorial Force during attachment to volunteers . . . . . Act20,1869,s.30(ad.Act 6,1909).
Definitions . . . . . „ s.4.
Formation and dissolution of corps, etc.:
Power to form corps . . . . . „ s.5.
Evidence of enrolment . . . . . „ s.6.
Power to disband corps or remove member . . . . „ ss.7,7A(ins. Act5,1909).
Withdrawal from corps . . . . . „ ss.13,14,15 (s.15am.Act 5,1909).
Local limits of service . . . . . „ s.16. Act10,1896,s.9.
Offer by, for actual military service . . . . . „ s.8.
Power of Governor General in Council—
to call out corps for actual military service . . . . Act20,1869,s.27. Act10,1896,s.9.
to make rules as to pay, pension, etc., for volunteers so called out, and to apply such rules to volunteers called out in aid of the civil power . . . . . Act20,1869,s.28.
Power of Commanding Officer to make rules . . . . „ s.17.
To be subject to Army Act for offences committed while on duty, so far as it applies to officers . . . . . „ s.8.
Application of Army Act to . . . . . 44-5V.c.58,s.177.
Penalties for certain offences by . . . . . Act20,1869,ss.18to21.
Courts-martial for trial of offences committed while on duty . „ ss.9to12.
Recovery of fines imposed on . . . . . „ s.22.
Power of, to disarm certain persons and apprehend them . . „ s.23.
„ to prevent disturbance of public peace . . . „ s.24.
Power and duty of, to disperse unlawful assembly . . . „ s.24. Act5,1898,s.130.

VOLUNTEER—*contd.*

Power of, to apprehend person suspected of offence against the State . . . . . Act20,1869,s.24.

Exemption of—

from prohibitions in Arms Act . . . . . Act11,1878,s.1(*b*).

from municipal taxes. *See* MUNICIPALITY, I.

Exempted from horse-tax . . . . . Act20,1869,s.25.

Power to declare what Local Government shall be deemed to be the Local Government in respect of corps consisting of volunteers enrolled in more than one province . . . . ,, s.29.

Suits, etc., for things done under Act: notice of; tender of amends . . . . . ,, s.26.

WAGER.

Contracts of, void . . . . . Act9,1872,s.30. Bom. Act3,1865,ss.1to3.

WAGERING. *See* GAMING.

WAGES OF SEAMEN. *See* MERCHANT SHIPPING, 2 (*e*), (*f*).

WARANGAON PARGANA. *See* DEKKHAN, ETC., 3.

WAREHOUSE. *See* CUSTOMS (SEA), 2(*c*); EXCISE, 2, 3; FIRE, 2; SALT, III, 2; IV, 2, 3; TOBACCO.

WAR-KNIVES.

In Malabar District; control over use of. *See* ARMS, 4.

WARRANTY.

On sale of goods . . . . . Act9,1872,ss.109to118.

Implied, on sale of marked goods . . . . . Act4,1889,s.17.

Of solvency; limitation of, on transfer of debt . . . Act1882,s.133.

WASHING PLACES.

Regulation of. *See cross-references from* BATHING AND WASHING PLACES.

WASIKAS ACT (OUDH), 1886 . . . . . Act21,1886.

WASTE-LAND.

Act 23, 1863, declared in force—

throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.

in the Arakan Hill District . . . . . Reg.9,1874,s.3.

Claims to waste-land proposed to be sold or otherwise dealt with on account of Government, and objections taken to such sale, etc:

Enquiry by Collector; his powers and procedure; report to, and decision by, Board of Revenue . . . . . Act23,1863,ss.1to5.

Enquiry by Special Court:

Reference to Court . . . . . ,, s.6

Constitution of Court . . . . . ,, s.7.

Notice of constitution of Court; bar to jurisdiction of other Courts . . . . . ,, s.8.

Procedure; application of Code of Civil Procedure, with modifications . . . . . ,, ss.9to13.

Bar to appeal and revision . . . . . ,, s.14.

Reference of case to High Court . . . . . ,, ss.15,16.

Records of Court where to be kept . . . . . ,, s.17.

WASTE-LAND—*contd.*

Claims to waste-land proposed to be sold or otherwise dealt with on account of Government, and objections taken to such sale, etc :—*contd.*

Limitation of claims; reference to Special Court of claim or objection made within time . . . . . Act23,1863,s.18.

Where claim established, claimant to receive compensation . „ ss.19to21.

Power of Local Government to award compensation independently of Act . . . . . „ ss.22,23.

In Agror Valley; classification of, and record-of-rights in . Reg.4,1891,s.8.

See also FOREST, 2.

WASTE-LANDS (CLAIMS) ACT, 1863 (*See* WASTE-LAND) . Act23,1863.

WATANDAR. *See* VILLAGE, B, 1 (*b*).

WATCHMEN. *See* POLICE, II.

WATER.

Definitions of "water," "water-course," etc. *See* WORDS AND PHRASES.

Penalty for fouling . . . . . Act45,1860,s.277, Bom.Act4,1890,s.61(*m*).

Rights of Government as to, in Angul . . . . . Reg.1,1894,s.33.

All water not the property of others declared to belong to Government; saving of private rights, etc.; disposal of such water . . . . . Bom.Act5,1879,s.37.

Fixing and recovery of rates for use of Government water, where no rate leviable under Bombay Irrigation Act, 1879 . „ ss.55,101.

Water and water-course when deemed to be property of Government . . . . . Mad. Act3, 1905,s.2.

See also LAND (INDIAN LAW), G.

Power to make rules as to water-supply in cantonments . . . Act15,1910,s.24(*19*).

Water-supply to be under authority of Local Self-government Boards. *See under* LOCAL SELF-GOVERNMENT (*sub-heading* "Duties and Powers of Local Authorities").

Provision and regulation of water-supply in municipalities:

See under MUNICIPALITY, (*sub-heading* "The Public health, Safety and Convenience").

Control over public water-course, etc., in Aden. *See* ADEN, 3.

Water-supply in villages:

Ajmere.	*See* VILLAGE,	A, 2.	
Bombay.	„	„	B, 2.
Central Provinces.	„	„	E, 2.
United Provinces.	„	„	G, 2.

See also BATHING AND WASHING PLACES; CANAL; DRAINAGE; EMBANKMENT; FISHERY; FOREST, 1; IRRIGATION; KARATOYA RIVER; LAND (INDIAN LAW), B; NAVIGATION.

See also cross-references from RIVER.

WATER-WORKS ACT (UNITED PROVINCES), 1891 (*See* MUNICIPALITY) . . . . U.P.Act1,1891.

„ „ (RANGOON), 1884 (*See* MUNICIPALITY) . . . . . Act10,1884.

WEIGHTS AND MEASURES OF CAPACITY ACT (INDIAN), 1871 . . . . . Act31,1871.

WEIGHTS AND MEASURES.

Act 31, 1871, does not come into practical operation until certain notifications have been published and other action taken by Government [1] . . . . . Act31,1871,ss.4to8,10to12,17.

Standards . . . . . „ ss.2to7.

Use of new weights and measures . . . . . „ ss.8,9.

Wardens for custody of standards, etc.; appointment, powers and duties of . . . . . „ ss.10,11,14.

Rules; power of Governor General in Council to make; enforcement of . . . . . „ ss.11to13.

Power to prepare tables of equivalents . . . . . „ s.17.

Delegation of warden's powers . . . . . „ s.15.

Penalty for counterfeiting mark used by warden . . . „ s.16.

Act 2, 1889, to come into force on day appointed by Governor General in Council . . . . . Act2,1889,s.1(3).

Act 2, 1889, declared in force in Upper Burma, except Shan States . . . . . Act13,1898,s.4,Sch.1.

Adoption of English standard yard; custody of approved copy . Act2,1889,ss.2,3.

Standard foot and inch . . . . . „ s.4.

Certified measures to be kept by certain officials . . . „ s.7.

„ „ presumption in favour of accuracy of . . „ s.5.

„ „ right of public to inspect . . . . „ s.6.

Punishment for fraud in connection with . . . . Act45,1860,ss.264to267.

Commissioner of Police to keep standard weights and measures . (Cal.)Ben.Act4,1866,s.55. (Mad.City)Mad.Act3, 1888,s.32.

District Magistrate „ „ „ „ . Bom.Reg.12,1827,s.20.

Municipal Commissioner „ „ „ „ . (Bom.City)Bom.Act3, 1888,s.418.

Chairman of Municipal Corporation to keep standard weights and measures . . . . . (Cal.)Ben.Act3,1899, ss.509to512.

Inspection by police of weights, measures and instruments for weighing, and seizure of false ones . . . . . Act5,1898,s.153. (Bom.City)Bom.Act4, 1902,s.54. (Cal.)Ben.Act4,1866,s.56. (Mad.City)Mad.Act3, 1888,s.33. (Ran.)Bur.Act4,1899,s.33.

Destruction of false weights and measures . . . . (Bom.City)Bom.Act4, 1902,s.54. (Mad.City)Mad.Act3, 1888,s.32.

On board ship . . . . . 57-8V.c.60,s.201. Act1,1859,s.68.

Regulation of, in municipalities. *See under* MUNICIPALITY (*sub-heading* "The Public Health, Safety and Convenience").

WHIPPING ACT, 1909 [*See* CRIMINAL LAW (INDIAN); WHIPPING] . . . . . Act4,1909.

[1] The Act has not yet been brought into practical operation.

WHIPPING.
Imposition of sentence of. *See* CRIMINAL LAW (INDIAN), 2.
Execution of sentence of. *See* CRIMINAL PROCEDURE (INDIAN), 9 (3).
How to be inflicted in prison . . . . . Act9,1894,s.53.
Under Frontier Crimes Regulation, 1901 . . . . . Reg.3,1901,ss.6,12,13.
In case of youthful ((juvenile) offender . . . . . Act4,1909,s.5.
Special provisions for, in notified areas . . . . . ,, s.6.
WIDOW. *See* ELDERS' WIDOWS FUND; HINDU WIDOW; REGULAR AND ELDERS' WIDOWS' FUND.
WILD BIRDS' PROTECTION ACT, 1887 (*See* GAME) . . Act20,1887.
WILLS ACT, 1838 (*See* SUCCESSION) . . . . . Act25,1838.
WILLS ACT, 1861[1] (*See* DOMICILE; SUCCESSION) . . 24-5V.c.114.
WILLS AND INTESTACY REGULATION (BENGAL), 1799[2] (*See* ADMINISTRATION OF ESTATES) . . . . . Ben.Reg.5,1799.
WILL.
Definitions of. *See* WORDS AND PHRASES.
See also SUCCESSION, 6, 8.
WINDING UP.
Of company. *See* COMPANY.
,, partnership. *See* PARTNERSHIP.
WITNESS.
Power of Revenue-authorities to award charges to . . . Ben.Reg.9,1825.
Attendance and examination of,—
before Civil Courts. *See* CIVIL PROCEDURE, 2.
before Criminal Courts. *See* CRIMINAL LAW AND PROCEDURE (ENGLISH); CRIMINAL PROCEDURE (INDIAN).
before Bengal or Bombay Legislative Council. *See* GOVERNMENT OF INDIA, 2(*c*).
Examination of, by Police. *See* CRIMINAL PROCEDURE (INDIAN), 7.
See also CORONER; EVIDENCE, II, 5; JUDICIAL COMMITTEE, 2 (*c*); RECUSANT WITNESS.
WOMAN.
Employment of, in factory. *See* FACTORY.
See also HINDU WIDOW; MARRIED WOMAN.
WORDS AND PHRASES.
"ABDUCTION" defined . . . . . Act45,1860,s.362.
"ABET" defined . . . . . Act10,1897,s.3(*1*). Ben.Act1,1899,s.3(*1*). Bom.Act1,1904,s.3(*1*). Bur.Act1,1898,s.2(*1*). E.B.&A.,Act1,1909,s.5(*1*). Mad.Act1,1891,s.3(*1*). P.Act1,1898,s.2(*1*). U.P.Act1,1904,s.4(*1*).
"ABETMENT" defined . . . . . Act45,1860,s.107.
"ABETTOR" defined . . . . . ,, s.108.
"ABKARI INSPECTOR" defined . . . . . Mad.Act1,1886,s.3(*5*).

[1] This short title was given by 59 & 60 Vict. c. 14.
[2] This short title was given by Act 5, 1897, s. 4.

WORDS AND PHRASES—*contd.*

"ABKARI-OFFICER" defined. (*See also* EXCISE-OFFICER)	Bom.Act5,1878,s.3(*2*). Mad.Act1,1886,s.3(*2*).
"ABKARI-REVENUE" defined	Bom.Act5,1878,s.3(*1*). Mad.Act1,1886,s.3(*1*).
"ABSOLUTE OCCUPANCY-TENANT" defined	Act18,1881,s.4(*16*). Act11,1898,s.39.
"ACCEPTANCE" defined. *See* QUALIFIED ACCEPTANCE.	
"ACCEPTOR" defined	Act26,1881,s.7.
"ACCEPTOR FOR HONOUR" defined	" s.7.
"ACCESSORY LICENSE" defined	Act5,1882,s.55.
"ACCESSORY RIGHT" defined	" s.24.
"ACCOUNTANT" defined. (*See also* PUBLIC ACCOUNTANT)	Reg.1,1894,s.10(*j*).
"ACCUSED PERSON" defined	33-4V.c.52,s.26.
"ACQUITTAL" defined	Act5,1898,s.403,*expln.*
"ACT" defined (*See also* BENGAL ACT; BOMBAY ACT; MADRAS ACT; N.-W. PROVINCES AND OUDH ACT)	Act45,1860,s.33. Act10,1897,s.3(*2*). Ben.Act1,1899,s.3(*2*). Bom.Act1,1904,s.3(*2*). Bur.Act1,1898,s.2(*2*). E.B.&A.Act1,1909,s.5(*2*). P.Act1,1898,s.2(*2*). U.P.Act1,1904,s.4(*2*).
"ACT OF INSOLVENCY" defined	Act3,1907,s.4. Act3,1909,s.9.
"ACT OF TRESPASS" defined	Act15,1882,s.46.
"ACTION" defined (*See also* FLUVIAL ACTION)	22-3V.c.63,s.5.
"ACTIONABLE CLAIM" defined	Act4,1882,s.3.
"ACTIVE SERVICE" defined	44-5V.c.58,s.189(*1*). [1]Act5,1869,Part1,cl.(*e*)(*14*). Act15,1887,s.3(*2*). Act5,1892,s.2(*2*). Act4,1904,s.2(*c*). Reg.3,1881,s.2. Reg.4,1890,s.3(*2*).
"ACTUAL INVENTOR" defined	[2]Act5,1888,s.4(*5*).
"ACTUAL PRODUCE" defined	Ben.Reg.1,1801,s.8.
"ACTUAL PROPRIETOR OF LAND" defined	Ben.Reg.27,1795,s.10.
"ACTUALLY EMPLOYED" defined	[3]Act15,1881,s.10(*2*).
"ADDITION" defined	Act16,1908,s.2. Ben.Act3,1895,s.2(*1*).
"ADEMPTION" defined	Act10,1865,s.139.
"ADEN" defined	Reg.2,1891,s.2.
"ADJACENT SOIL" defined. *See* SUBJACENT AND ADJACENT SOIL.	
"ADJOINING HOLDING" defined.	Ben.Act3,1884,s.6(*3*),*expln.*
"ADJUSTMENT" defined. *See* INTERMEDIATE ADJUSTMENT OF ACCOUNT.	
"ADJUTANT" defined	Act15,1887,s.3(*5*).

[1] To be repealed on coming into force of Act 8, 1911.
[2] To be repealed on 1st January, 1912. *See* Act 2, 1911.
[3] To be repealed on 1st July 1912. *See* Act 12, 1911.

WORDS AND PHRASES—*contd.*

"ADMINISTRATOR" defined (*See also* OFFICIAL ADMINISTRATOR)	Act10,1865,s.3.. Act5,1881,s.3.
"ADMINISTRATOR GENERAL" defined	Act2,1874,s.68(*4*)..
"ADMIRALTY" defined	52-3V.c.63,s.12(*4*).
"ADMIRALTY OR VICE-ADMIRALTY CAUSE" defined	Act16,1891,s.3..
"ADMIRALTY COURT" defined (*See also* COURT OF ADMIRALTY)	Act16,1891,s.3.
"ADMISSION" defined	Act1,1872,s.17.
"ADMITTED TO OCCUPATION" defined	Act8,1885,s.47.
"ADRIFT" (with reference to timber) defined	Bur.Act4,1902,s.40(*2*)..
"ADULT" defined. *See* STATUTE ADULT.	
"ADULTERY" defined (*See also* BIGAMY WITH ADULTERY; INCESTUOUS ADULTERY)	Act45,1860,s.497.. Reg.5,1872,s.7..
"ADVERTISEMENT" defined	Act18,1881,s.41..
"ADVOCATE OF A HIGH COURT" defined	Act15,1882,s.7..
"ADVOCATE GENERAL" defined	Act17,1864,s.34(*v*).. Act2,1874,s.68(*v*).. Act5,1898,s.4(*a*). 52V.c.10,s.11.
"ÆRIAL LINE" defined	Act9,1910,s.2(*a*).
"AFFIDAVIT" defined (*See also* OATH; SWEAR)	52-3V.c.63,s.6.. Act30,1852,s.13. Act10,1897,s.3(*3*). Ben.Act1,1899,s.3(*3*).. Bom.Act1,1904,s.3(*3*). Bur.Act1,1898,s.2(*3*) E.B.&A.Act1,1909,s.5(*3*).. Mad.Act1,1891,s.3(*20*).. P.Act1,1898,s.2(*3*). U.P.Act1,1904,s.4(*3*).
"AFFRAY" defined	Act45,1860,s.159..
"AFTER SIGHT" defined	Act26,1881,s.21.
"AGENT" defined (*See also* COLLECTION AGENT; LOCAL AGENT; POLITICAL AGENT; RECOGNISED AGENT; REPRESENTATIVE SUB-AGENT)	Act9,1872,ss.182,194.. Act9,1874,s.32. Act6,1901,s.2(*1*)(*a*).. Act8,1901,s.3(*a*). Ben.Act1,1896,s.2(*c*). Bom.Act2,1887,s.2(*3*). U.P.Act3,1892,s.23(2).
"AGRA" defined	U.P.Act1,1904,s.4(*j*).
"AGREEMENT" defined (*See also* SPECIAL AGREEMENT; VOID AGREEMENT)	Act9,1872,s.2(*e*).. Act16,1887,s.112..
"AGRICULTURAL LAND" defined	P.Act2,1905,s.3(*1*)..
"AGRICULTURAL YEAR" defined	Act18,1881,s.4(*5*).. Act8,1885,s.3(*11*). Act16,1887,s.4(*17*).. Act17,1887,s.3(*14*). Act11,1898,s.2(*1*).. Ben.Act6,1908,s.3(*i*). U.P.Act2,1901,s.4(*10*).. Reg.2,1877,s.2(*a*).. Reg.1,1886,s.3(*j*)..
"AGRICULTURE" defined	Mad.Act1,1908,s.3(*1*).
"AGRICULTURIST" defined	Act17,1879,s.2(1st and 2nd).

WORDS AND PHRASES—*contd.*

"AID THE DOING OF ACTS" defined	Act45,1860,s.107, *expln.2.*
"ALIEN ENEMY RESIDING IN A FOREIGN COUNTRY" defined	Act5,1908,s.83,*expln.*
"ALIENATED" defined	Bom.Act5,1879,s.3(*19*). Bom.Act4,1881,s.6 *expln.*
"ALIENATION" defined	Bom.Act6,1888,s.2(*1*)(*i*). Mad.Act2,1904,s.2(*1*).
"ALIENEE" defined	Bom.Act6,1888,s.2(*1*)(*d*).
"ALTERING COMPOSITION OF COIN" defined	Act45,1860,s.246,*expln.*
"AMIDSHIPS" defined	57-8V.c.60,s.437(*4*). Act7,1880,s.4(ad.Act17, 1891,s.3).
"AMMUNITION" defined	Act11,1878,s.4.
"ANCESTRAL PROPERTY" defined	Act18,1876,s.20,*expln.*
"ANCIENT MONUMENT" defined	Act7,1904,s.2(*1*).
"ANGLICAN" defined	Act15,1872,s.3.
"ANIMAL" defined. (*See also* CATTLE; HORSE)	Act45,1860,s.47. Act11,1890,s.2(*1*). Act20,1891,s.100(*4*). Ben.Act1,1869,s.1. Ben.Act3,1899,s.458(*4*). P.Act1,1903,s.2. U.P.Act1,1900,s.117(*4*). Mad.Act2,1866,s.2.
"ANIMAL-LYMPH" defined	Bom.Act1,1877,s.2(*6*). Bom.Act4,1879,s.2(*6*). Bom.Act1,1892,s.4(*f*).
"ANNUAL LETTING VALUE" defined	Bom.Act3,1901,s.3(*11*).
"ANNUAL PROFITS" defined. *See* NET ANNUAL PROFITS.	
"ANNUAL RENTAL VALUATION" defined	U.P.Act1,1891,s.2(*h*).
"ANNUAL VALUE" defined	Act20,1883,s.3(*4*). Act17,1887,s.29(*2*). Act20,1891,s.42(*2*). Ben.Act9,1880,s.4(am. Ben.Act4,1910,s.2). U.P.Act1,1900,s.3(*10*). U.P.Act3,1904,s.2(*1*). U.P.Act2,1906,s.2(*1*). Reg.3,1879,s.2(*5*). Reg.5,1886,s.41(*2*). Reg.6,1886,s.2(*2*). Reg.5,1910,s.8(*2*)
"ANTIQUITIES" defined	Act7,1904,s.2(*2*).
"APPARENT EASEMENT" defined	Act5,1882,s.5.
"APPEAL" defined	53-4V.c.27,s.15. 8Edw.7,c.51,s.5.
"APPLICANT" defined	Act9,1908,s.2(*1*). [1] Act5,1888,s.4(*3*)&(*5*).
"APPOINTED DAY" defined	49-50V.c.48,s.27.
"AREA" defined (*See also* NOTIFIED AREA; PRESCRIBED AREA; VACCINATION AREA)	Ben.Act3,1883,s.2.
"AREA OF SUPPLY" defined	Act9,1910,s.2(*b*).
"ARMS" defined	Act11,1878,s.4.

[1] Will be repealed on the coming into force of Act 2, 1911

WORDS AND PHRASES—*contd.*

"ARREAR" defined	Act11,1898,s.2(2).
"ARREAR OF LAND-REVENUE" defined (*See also* ARREAR OF REVENUE)	Act18,1881,s.91. Act17,1887,s.3(7). Bom.Act5,1879,s.147. Reg.2,1877,s.74.
"ARREAR OF RENT" defined	Act10,1859,s.20. Act8,1885,s.54(3). Act16,1887,s.4(4). Mad.Act1,1908,s.60. U.P.Act2,1901,s.101.
"ARREAR OF REVENUE" defined (*See also* ARREAR OF LAND-REVENUE)	Act1,1845,s.2. Act11,1859,s.2. Act2,1876,s.44. Mad.Act2,1864,s.4. Reg.3,1889,s.38(3).
"ARREAR OF TAX" defined	Act20,1891,s.64(2). Reg.5,1886,s.63(2).
"ARRESTING AUTHORITY" defined	54-5V.c.31,s.9.
"ARTICLES OF SCULPTURE" defined	7-8V.c.12,s.20.
"ARTISTIC WORK" defined. *See* LITERARY AND ARTISTIC WORK.	
"ASSAM" defined	E.B.&A.Act1,1909,s.5(4).
"ASSAM REGULATION" defined	" s.5(5).
"ASSAULT" defined	Act45,1860,s.351. Act15,1887,s.3(6). Act5,1892,s.2(6). Reg.3,1881,s.2. Reg.2,1888,s.2(4). Reg.4,1890,s.3(5).
"ASSEMBLY" defined. *See* MEMBER OF AN UNLAWFUL ASSEMBLY; UNLAWFUL ASSEMBLY.	
"ASSETS" defined	Act2,1874,s.3. Act6,1882,ss.139,178. Ben.Act5,1897,s.3(xv). (xvi).
"ASSIGN" defined	5-6V.c.45,s.2. Act5,1888,s.4(4).
"ASSISTANT COLLECTOR" defined	Bom.Act2,1890,s.3(b). U.P.Act1,1904,s.4(5).
"ASSISTANT COMMANDANT" defined	Act15,1887,s.3(6).
"ASSISTANT COMMISSIONER" defined (*See also* HONORARY ASSISTANT COMMISSIONER)	Act18,1881,s.4. Act12,1882,s.3. Act1,1883,s.2. Reg.1,1895,s.2(5).
"ASSISTANT INSPECTOR" defined	Act6,1901,s.2(1)(b).
"ASSISTANT RESIDENT" defined	Act2,1864,s.1.
"ASSISTANT SUPERINTENDENT" defined	Bom.Act4,1890,s.3(a). Reg.5,1896,s.2(2).
"ASSISTANT SUPERINTENDENT OF POLICE" defined	Bom.Act8,1867,s.1.
"ASSOCIATION" defined	Act14,1908,s.15(1).
"ASSURANCE" defined	Act30,1839,s.1.
"AT SIGHT" defined	Act26,1881,s.21.
"ATTACHED TO THE EARTH" defined	Act4,1882,s 3.

WORDS AND PHRASES—*contd.*

"ATTENDANTS ON PUBLIC CONVEYANCES" defined . . . . Bom.Act6,1863,s.36.
"ATTEST" defined . . . . . Act1,1869,s.2(ins.U.P. Act3,1910,s.2).
"AUDITOR" defined . . . . . Act11,1876,s.3.
"AUTHOR" defined . . . . . 49-50V.c.33,s.11.
"AUTHOR OF THE TRUST" defined . . . . . Act2,1882,s.3.
"AUTHORITY" defined. *See* CANTONMENT-AUTHORITY; CHIEF CONTROLLING REVENUE-AUTHORITY; CHIEF CUSTOMS-AUTHORITY; CHIEF REVENUE-AUTHORITY; LOCAL AUTHORITY; MUNICIPAL AUTHORITY; POLICE AUTHORITY; ROAD AUTHORITY; TELEGRAPH AUTHORITY. *See also* EXPRESS AUTHORITY; IMPLIED AUTHORITY.
"AVAILABLE ACT OF INSOLVENCY" defined . . . . Act3,1907,s.2(*a*).
"BADSHAHI GRANT" defined . . . . . Ben.Reg.12,1805,s.26.
"BAILABLE OFFENCE" defined . . . . . Act5,1898,s.4(*b*).
"BAILEE" defined . . . . . Act9,1872,s.148.
"BAILMENT" defined . . . . . " s.148.
"BAILOR" defined . . . . . " s.148.
"BAKE-HOUSE" defined . . . . . Mad.Act3,1904,s.3(*1*). Mad.Act4,1884,s.3(*xxiii*).
"BANK" defined . . . . . 50-IV.c.11,s.9. Act11,1876,s.3. Act18,1891,s.2(*2*).
"BANKER" defined . . . . . Act2,1899,s.2(*1*). Act26,1881,s.3. Act18,1891,s.2(*2*).
"BANKERS' BOOKS" defined . . . . . Act18,1891,s.2(*3*).
"BANKRUPTCY" defined . . . . . 57-8V.c.60,s.742.
"BARRISTER" defined (*See also* LEGAL PRACTITIONER) . Act10,1897,s.3(*4*). Ben.Act1,1899,s.3(*4*). Bom.Act1,1904,s.3(*4*). Bur.Act1,1898,s.2(*4*). E.B.&.A.Act1,1909,s.5(*6*). Mad.Act1,1891,s.3(*2*). P.Act1,1898,s.2(*4*). U.P.Act1,1904,s.4(*6*).
"BASTI" defined (*See also* RE-MODELLED BASTI) . . . Ben.Act3,1899,ss.3(*5*),4.
"BASTI LAND" defined . . . . . " ss.3(*6*),4. Ben.Act1,1893,s.3(*1*).
"BATTALION" defined . . . . . 44-5V.c.58,s.190(*16*).
"BAZAR" defined (*See also* MARKET; MUNICIPAL MARKET) . Act20,1856,s.61. Ben.Act3,1899,s.3(*1*). Ben.Act5,1909,s.2(*1*). Reg.5,1910,s.2(*i*).
"BEER" defined . . . . . Mad.Act1,1886,s.3(*10*). E.B.&A.Act1,1910,s.3(*1*). U.P.Act4,1910,s.3(*10*).
"BELIEVE" defined. *See* REASON TO BELIEVE.
"BENCH" defined . . . . . U.P.Act2,1896,s.3(*2*).
"BENEFICIAL ENJOYMENT" defined . . . . . Act5,1882,s.4.

WORDS AND PHRASES—*contd.*

"BENEFICIAL INTEREST" defined . . . . . Act2,1882,s.3.
"BENEFICIARY" defined . . . . . ,, s.3.
"BENGAL" defined (*See also* PRESIDENCY OF BENGAL; PRESIDENCY OF FORT WILLIAM) . . . Ben.Act1,1899,s.3(5).
"BENGAL ACT" defined . . . . . Act10,1897,s.3(5). Ben.Act1,1899,s.3(6). E.B.&A.Act1,1909,s.5(7).
"BEYOND THE SEAS" defined . . . . . 44-5V.c.58,s.190(25).
"BHANG" defined . . . . . Ben.Act5,1909,s.3. E.B.&A.Act1,1910,s.5. U.P.Act4,1910,s.5.
"BHUGUT BANDHA MORTGAGE" defined . . . . . Ben.Act6,1908,s.3(ii).
"BHUINHARI" defined . . . . . Ben.Act2,1869,s.1.
"BHUM" defined . . . . . Reg.2,1877,s.31.
"BIGAMY" defined. *See* BIGAMY WITH ADULTERY; MARRIAGE WITH ANOTHER WOMAN.
"BIGAMY WITH ADULTERY" defined . . . . . Act4,1869,s.3(7).
"BILL OF EXCHANGE" defined . . . . . Act9,1908,s.2(2). Act2,1899,s.2(2). Act26,1881,s.5.
"BILL OF EXCHANGE PAYABLE ON DEMAND" defined . . . Act2,1899,s.2(3).
"BILL OF LADING" defined . . . . . Act2,1899,s.2(4).
"BISHOP" defined . . . . . 37-8V.c.77,s.14.
"BOARD" defined (*See also* LOCAL BOARD; MUNICIPAL BOARD; SANITARY BOARD) . . . Act11,1876,s.3. Act5,1886,s.3(4). Act22,1886,s.3(1A). Act20,1890,s.1(2). Ben.Act7,1876,s.3(12). Ben.Act5,1897,s.3(1). Bom.Act7,1865,s.35. Bom.Act6,1879,s.4. E.B.&.A.Act1,1910,s.3(2). Mad.Act2,1905,s.5(1). U.P.Act3,1899,s.3(1). U.P.Act3,1901,s.4(1).
"BOARD OF COMMISSIONERS" defined . . . . . Ben.Reg.7,1822,s.35.
"BOARD OF REVENUE" defined . . . . . Act12,1851,s.18. Ben.Act7,1864, s.3. Ben.Reg.7,1822,s.35. Ben.Reg.7,1828,s.25. Bom.Act7,1865,s.3. U.PAct1,1904,s.4(7).
"BOARD OF TRADE" defined . . . . . 52-3V.c.63,s.12(8).
"BOAT" defined . . . . . Bur.Act2,1898,s.3(8).
"BOILER" defined . . . . . Act2,1907,s.2(a). Ben.Act3,1879,s.3. Bom.Act2,1891,s.3(a). Bur.Act2,19 0,s.3. Mad.Act3,1893,s.2. P.Act2,1902,s.2. U.P.Act1,1899,s.2.
"BOMBAY" defined. *See* CITY OF BOMBAY; PRESIDENCY OF BOMBAY; PRESIDENCY-TOWN; TOWN; TOWN OF BOMBAY; TOWN AND SUBURBS OF BOMBAY.

WORDS AND PHRASES—*contd.*

"BOMBAY ACT" defined . . . . . Act10,1897,s.3(*6*). Bom.Act1,1904,s.3(*5*).
"BOMBAY CITY SURVEY" defined . . . . . Bom.Act2,1876,s.19.
"BOND" defined . . . . . Act9,1908,s.2(*5*). Act2,1899,s.2(*5*).
"BOOK" defined . . . . . 5-6V.c.45,s.2. 7-8V.c.12,s.20. 49-50V.c.33,s.11. Act25,1867,s.1. Act16,1908,s.2. Act1,1910,s.2.
"TO BOTTLE" defined . . . . . Ben.Act5,1909,s.2(*3*). E.B.&A.Act1,1910,s.3(*3*). U.P.Act4,1910,s.3(*21*).
"BOUND" defined. *See* LEGALLY BOUND.
"BOUNDARY-MARK" defined (*See also* SURVEY BOUNDARY-MARK) . . . . Bom.Act5,1879,s.3(*9*)
"BREACH OF THE PEACE" defined . . . . . Mad.Reg.4,1816,s.30(*6*).
"BREACH OF TRUST" defined (*See also* CRIMINAL BREACH OF TRUST) . . . . Act2,1882,s.3.
"BRIDGE" includes "CULVERT" . . . . . Bur.Act1,1900,s.4.
"BRITISH BURMA"; construction of references to . . . Act13,1898,s.7.
"BRITISH BURMA GAZETTE"; construction of references to . Act13,1898,s.7.
"BRITISH COURT IN A FOREIGN COUNTRY" defined . . 55-6V.c.6,s.6.
"BRITISH DOMINIONS" defined . . . . . 5-6V.c.45,s.2.
"BRITISH INDIA" defi . . . . 44-5V.c.58,s.190(*21*). 52-3V.c.63,s.18(*4*). Act45,1860,s.15. Act16,1861,s.21. Act3,1864,s.1. Act8,1864,s.1. Act10,1865,s.3. Act15,1865,s.2. Act11,1867,s.1. Act25,1867,s.1. [1]Act5,1869,Pt.1,cl.(*e*)(*15*). Act10,1897,s.3(*7*). Bom.Act1,1904,s.3(*8*). Bur.Act1,1898,s.2(*5*). E.B.&A.Act1,1909,s.5(*8*). Mad.Act1,1891,s.3(*3*). P.Act1,1898,s.2(*5*). U.P.Act4,1910,s.3(*14*).
"BRITISH INDIAN SHIP" defined . . . . . Reg.8,1874,s.1.
"BRITISH OFFICER" defined . . . . . Act7,1880,s.4.
"BRITISH POSSESSION" defined . . . . . [1]Act5,1869,Pt.I,cl.(*e*)(*3*). 33V.c.14,s.17. 33-4V.c.52,s.26. 33-4V.c.90,s.30. 36-7V.c.88,s.2. 44-5V.c.69,Pt.4,s.39. 47-8V.c.31,s.18. 48-9V.c.49,s.12. 49-50V.c.33,s.11. 49-50V.c.48,s.27.

[1] To be repealed on the coming into force of Act 8, 1911.

WORDS AND PHRASES—*contd.*

"BRITISH POSSESSION" DEFINED—*contd.* . . . 52-3V.c.63,s.18(2). 5Edw.7,c.14. 7Edw.7,c.16,s.1. Act10,1897,s.3(8). Bur.Act1,1898,s.2(6). E.B.&A.Act1,1909,s.5(9). P.Act1,1898,s.2(6).

"BRITISH SHIP" defined . . . Act7,1880,s.4.

"BRITISH SLAVE COURT" defined . . . 36-7V.c.88,s.2.

"BRITISH STEAM-SHIP" defined . . . Act7,1884,s.3(2).

"BRITISH SUBJECT" defined. *See* EUROPEAN BRITISH SUBJECT.

"BROTHER" defined . . . Act1,1869,s.21.

"BUDGET" defined . . . Mad.Act3,1904,s.3(2).

"BUDGET-GRANT" defined . . . Ben.Act3,1899,s.3(2). Bom.Act3,1888,ss.115(3), 130.

B

"BUILDING" defined (*See also* COMMON GAMING-HOUSE; ERECT; FACTORY; HOUSE; NEW BUILDING; WAREHOUSE) . . . 33-4V.c.90,s.30. Bom.Act3,1888,ss.3(s). 300(2). Bom.Act3,1901,s.3(7). Mad.Act4,1884,s.3(i). Mad.Act5,1884,s.3(i). Mad.Act2,1888,s.2. Mad.Act3,1904,s.3(3).

"BUILDING LINE" defined . . . Ben.Act3,1899,s.3(3). Mad.Act3,1904,s.3(4).

"BUILDING OF THE WAREHOUSE CLASS" defined . . . Ben.Act3,1899,s.3(4).

"BUILDING-SITE" defined . . . Bom.Act5,1879,s.3(8).

"BULK LICENSE" defined . . . Act9,1910,Sch.*cl.*IX.

"BUOYS AND BEACONS" defined . . . 57-8V.c.60,s.742.

"BURDEN OF PROOF" defined . . . Act1,1872,s.101.

"BURGLARY" defined. *See* HOUSE-BREAKING.

"BURIAL-GROUND" defined. *See* PUBLIC MUHAMMADAN BURIAL-GROUND.

"BURMA" defined (*See also* BRITISH BURMA; LOWER BURMA; UPPER BURMA) . . . Act13,1898,s.3(a). Act6,1900,s.2(a). Bur.Act1,1898,s.2(7).

"BURMA ACT" defined . . . Bur.Act1,1898,s.2(8).

"BUSTEE"; "BUSTEE LAND" *See* "BASTI"; "BASTI LAND."

"BYE-LAW" defined . . . Act20,1891,s.3(10). Act10,1904,s.2(a).

"CALCUTTA" defined (*See also* PRESIDENCY-TOWN; TOWN OF CALCUTTA) . . . Ben.Act2,1884,s.2. Ben.Act3,1899,s.3(7). Ben.Act2,1891,s.3(1). Ben.Act1,1896,s.2(d).

"CANAL" defined . . . Act8, 1873,ss.3(1),74. Ben.Act3,1876,s.3(1). Bom.Act7,1879,s.3(1). Bur.Act2,1905,s.3(1). Mad.Act2,1890,s.3. P.Act3,1905,ss.3(ii),73.

"CANAL-OFFICER" defined (*See also* DIVISIONAL CANAL-OFFICER; SUB-DIVISIONAL CANAL-OFFICER; SUPERINTENDING CANAL-OFFICER) . . . Act8,1873,s.3(7). Ben.Act3,1876,s.3(7). Bom.Act7,1879,s.3(6). Bur.Act2,1905,s.3(6).

WORDS AND PHRASES—*contd.*

"CANNON" defined . . . . . Act11.1878,s.4.

"CANTONMENT AUTHORITY" defined . . . . . Act20,1887,s.2(*2*).
Act2,1902,s.2(*1*)(*a*).
Act15,1910,s.5(*1*).

"CAPITAL" defined . . . . . Act11,1876,s.3.
Act6,1882,s.13,*expln.1*.

"CAPITAL STOCK" defined . . . . . Act11,1876,s.3.

"CARRIAGE" defined (*See also* HACKNEY-CARRIAGE; STAGE-CARRIAGE) . . . . . Act4,1884,s.4(*4*).
Act11,1886,s.3(*9*).
Ben.Act5,1876,s.6(*1*).
Ben.Act3,1884,s.6(*1*).
Ben.Act3,1899,s.3(*8*).
Mad.Act3,1879,s.3.

"CARRIER" defined (*See also* COMMON CARRIER) . . . . Mad.Act8,1878,s.3.

"CART" defined . . . . . Ben.Act5,1876,s.6(*2*).
Ben.Act3,1884,s.6(*2*).
Ben.Act3,1899,s.3(*9*).

"CATTLE" defined (*See also* ANIMAL) . . . . . Act24,1859,s.1.
Act5,1861,s.1.
Act1,1871,s.3.
Act7,1878,s.2.
Act9,1890,s.125(*5*).
Ben.Act2,1866,s.51.
Ben.Act4,1866,s.3.
Bom.Act7,1867,s.1.
Bom.Act4,1890,s.3(*f*).
Bom.Act4,1902,s.3(*d*).
Bur.Act4,1899,s.5(*1*).
Bur.Act4,1902,s.3(*1*).
Bur.Act3,1907,s.3(*1*).
Bur.Act4,1909,s.3(*1*).
Mad.Act5,1882,s.2.
Mad.Act3,1888,s.3.
Reg.1,1874,s.2.
Reg.6,1874,s.2.
Reg.5,1890,s.2(*9*).
Reg.7,1891,s.3(*6*).

"CATTLE DOING DAMAGE TO A PUBLIC PLANTATION" defined . . . Act7,1878,s.69.
Mad.Act5,1882,s.57.
Reg.5,1890,s.1.
Reg.7,1891,s.66.
Reg.6,1893,s.34.

"CELLULAR CONFINEMENT" defined . . . . . Act9,1894,s.46(*0*),*expln.*

"CERTAIN" defined . . . . . Act26,1881,s.5.

"CERTIFICATE OFFICER" defined . . . . . Ben.Act1,1895,s.4(*2*).

"CERTIFIED" defined . . . . . 8Edw.7.c.69,s.274(*6*).

"CERTIFIED COPY" defined . . . . . Act1,1872,s.76.
Act18,1891,s.2(*8*).

"CESS" defined. *See* RATES AND CESSES; SETTLEMENT CESS; VILLAGE-CESS.

"CESS YEAR" defined Ben.Act3,1885,s.5

"CHAIRMAN" defined . . . . . Ben Act9,1880,s.171
Mad.Act2,1888,s.2.

WORDS AND PHRASES—*contd.*

"CHANNEL" defined (*See also* VILLAGE-CHANNEL) . . . Ben.Act5,1864,s.1. Mad.Act2,1890,s.3.
"CHAPEL" defined . . . . . 37-8V.c.77,s.14.
"CHAPTER" defined . . . . . Act10,1897,s.3(*9*). Ben.Act1,1899,s.3(*7*). Bom.Act1,1904,s.3(*9*). Bur.Act1,1898,s.2(*9*). E.B.&A.Act1,1909,s.5(*10*). Mad.Act1,1891,s.3(*4*). P.Act1,1898,s.2(*7*). U.P.Act1,1904,s.4(*8*).
"CHARACTER" defined . . . . . Act1,1872,s.55,*expln.*
"CHARAS" defined . . . . . Ben.Act5,1909,s.3. E.B.&A.Act1,1910,s.5. U.P.Act4,1910,s.5.
"CHARGEABLE" defined . . . . . Act2,1899,s.2(*6*).
"CHARITABLE PURPOSES" defined . . . . . Act6,1890,s.2.
"CHAUKIDAR" defined . . . . . U.P.Act3,1892,s.2(*8*).
"CHAUKIDARI CHAKRAN LANDS" defined . . . . . Ben.Act6,1870,s.1.
"CHAUKIDARI FUND" defined . . . . . Ben.Act6,1870,s.23.
"CHAVDI" defined . . . . . Bom.Act1,1889,s.4(*c*).
"CHEATING" defined (*See also* FRAUD) . . . . . Act45,1860,s.415.
"CHEATING BY PERSONATION" defined . . . . . Act45,1860,s.416.
"CHEQUE" defined . . . . . Act2,1899,s.2(*7*). Act26,1881,s.6.
"CHEQUE CROSSED GENERALLY" defined . . . . . Act26,1881,s.123.
"CHEQUE CROSSED SPECIALLY" defined . . . . . Act26,1881,s.124.
"CHIEF" defined . . . . . Act13,1898,s.3(*b*).
"CHIEF COMMISSIONER" defined (*See also* LOCAL GOVERNMENT) . . . . . Act3,1867,s.1. Act24,1870,s.2. Reg.4,1872,s.1. Reg.3,1890,s.96(*1*). Reg.5,1910,s.2(*ii*).
"CHIEF CONTROLLING REVENUE-AUTHORITY" defined . . . . . Act7,1870,s.2. Act3,1879,s.7. Act18,1888,s.4. Act2,1899,s.2(*8*).
"CHIEF COURT" defined . . . . . P.Act1,1898,s.2(*8*).
"CHIEF CUSTOMS-AUTHORITY" defined . . . . . Act8,1878,s.3(*a*). Act2,1896,s.3(*2*).
"CHIEF CUSTOMS-OFFICER" defined (*See also* CHIEF OFFICER OF CUSTOMS) . . . . . Act8,1878,s.3(*b*). Act10,1887,s.5(*6*). Act14,1895,s.5(*4*).
"CHIEF FOREST-OFFICER" defined . . . . . Reg.5,1890,s.2(*4*).
"CHIEF JUSTICE" defined . . . . . Act17,1864,ss.1,34(*1*)(*v*). Act15,1865,s.2. Act5,1898,s.4(*d*). Act14,1891,s.3.
"CHIEF OF AMB" defined . . . . . Reg.2,1900,s.2(*c*).
"CHIEF OFFICER OF CUSTOMS" defined (*See also* CHIEF CUSTOMS-OFFICER) . . . . . 57-8V.c.60,s.742. Mad.Act2,1905,s.5(*2*).
"CHIEF REVENUE-AUTHORITY" defined . . . . . Act18,1888,s.4. Act12,1896,s.3(*a*). U.P.Act4,1910,s.3(*4*)

WORDS AND PHRASES—*contd.*

"CHILD" and "CHILDREN" defined (*See also* DAUGHTER; GOVERNMENT WARD; GRANDCHILDREN; ISSUE; MINOR; MINOR CHILDREN; SON; UNPROTECTED CHILD.	Act13,1855,s.4. Act10,1865,ss.86,87. Act21,1870,s.6. Act3,1911,s.17(*4*). [1]Act15,1881,s.2. Act8,1901,s.3(*b*). Mad.Act4,1896,s.2.
"CHIN HILLS" defined	Act13,1898,s.3(*c*). Bur.Act 1,1898,s.2(*10*).
"CHINS" defined	Bur.Act1,1898,s.2(*11*). Reg.5,1896,s.2(*3*).
"CHITTAGONG HILL TRACTS" defined	Reg.1,1900,s.2(*1*)(*a*).
"CHO" defined	P.Act2,1900,s.2(*b*).
"CHRISTIANS" defined (*See also* NATIVE CHRISTIANS; ROMAN CATHOLIC)	Act15,1872,s.3.
"CHURCH" defined	37-8V.c.77,s.14. Act15,1872,s.3.
"CHURCH OF ENGLAND" defined	Act15,1872,s.3. Act6,1886,s.24.
"CHURCH OF ROME" defined	Act15,1872,s.3. Act6,1886,s.24.
"CHURCH OF SCOTLAND" defined	Act15,1872,s.3. Act6,1886,s.24.
"CIRCLE" defined (*See also* VACCINATION-CIRCLE)	Act11,1886,s.3(*4*). Ben.Act5,1887,s.2. Mad.Act4,1889,s.3(*g*). U.P.Act3,1892,s.2(*5*).
"CIRCLE TAHSILDAR" defined	Ben.Act5,1887,s.2.
"CITY" defined (*See also* VILLAGE, TOWN OR CITY)	Bom.Act3,1888,s.3(*a*). Mad.Act3,1904,s.3(*5*).
"CITY COURT" defined	Act7,1892,s.2(*1*).
"CITY MUNICIPALITY" defined	Bom.Act3,1901,s.3(*1*).
"CITY OF BOMBAY" defined	Bom.Act1,1904,s.3(*10*).
"CITY OF MADRAS" defined	Act7,1892,s.2(*2*). Mad.Act3,1904,s.3(*6*). Mad.Act3,1888,s.3. Mad.Act1,1891,s.3(*5*).
"CIVIL AFFAIRS" defined	Act15,1889,s.2(*7*).
"CIVIL COURT" defined	44-5V.c.58,s.190(*31*). Act35,1858,s.23. Act20,1863,s.2. Act17,1879,s.47;*expln.* Ben.Act7,1876,s.3(*1*). Bom.Act6,1862,s.21(*1*).
"CIVIL DISTRICT" defined	Act20,1869,s.4(*3*).
"CIVIL JAIL" defined. (*See also* JAIL; PRISON)	Act10,1859,s.168. Ben.Act6,1908,s.3(*v*)
"CIVIL OFFENCE" defined	[2]Act5,1869,Pt.I,cl.(*e*)(*21*).
"CIVIL PRISONER" defined	Act9,1894,s.3(*4*).
"CLAN" defined	Reg.1,1895,s.2(*3*). Reg.2,1896,s.2(*1*). Reg.5,1896,s.2(*4*).
"CLASS" defined	Reg.3,1901,s.1(*6*).

[1] To be repealed by Act 12, 1911.
[2] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"CLASSIFICATION MARK" defined	Bur.Act4,1902,s.3(*2*).
"CLERK" defined	Act45,1860,s.27,*expln.*
"CLERK OF THE CROWN" defined	Act5,1898,s.4(*e*).
"COAST" defined	Act5,1883,s.6(*5*)(ad.Act.6,1891,s.9).
"COASTING SHIP" defined	Act15,1908,Sch.I,Pt.II,*expln.1.*
"COASTING STEAMER" defined	Act15,1908,Sch.I,Pt.II,*expln.1.*
"COASTING VESSEL" defined	Act7,1878,s.3(*g*).
"CODICIL" defined	Act10,1865,s.3. Act1,1869,s.2. Act5,1881,s.3. Mad.Act5,1898,s.2(*5*).
"COERCION" defined (*See also* CRIMINAL FORCE; FORCE)	Act9,1872,s.15.
"COFFEE" defined	Mad.Act8,1878,s.3.
"COFFEE-ESTATE" defined	Mad.Act8,1878,s.3.
"COGNIZABLE CASE" defined	Act5,1898,s.4(*f*).
"COGNIZABLE OFFENCE" defined	Act5,1898,s.4(*f*). Bom.Act3,1888,s.440(*3*).
"COIN" defined (*See also* ALTERING COMPOSITION OF COIN; COUNTERFEITING COIN; MONEY; QUEEN'S COIN; TREASURE)	Act45,1860,s.230.
"COLLATERAL CONSANGUINITY" defined	Act10,1865,s.22.
"COLLECTION AGENT" defined	Reg.1,1894,s.10(*i*).
"COLLECTOR" defined (*See also* CUSTOMS-COLLECTOR; DEPUTY COMMISSIONER; DISTRICT COLLECTOR	Act20,1848,s.6. Act23,1850,s.14. Act12,1851,s.18. Act32,1855,s.21. Act11,1859,s.61. Act22,1872,s.4. Act8,1873,s.3(*6*). Act6,1878,s.3. Act19,1883,s.3. Act8,1885,s.3(*16*). Act2,1886,s.3(*9*). Act5,1886,s.3(*2*). Act11,1886,s.3(*14*). Act16,1887,s.75(*2*). Act1,1890,s.2(*2*). Act8,1890,s.4(*6*). Act9,1890,s.3(*18*). Act1,1894,s.3(*c*). Act2,1896,s.3(*3*). Act12,1896,s.3(*b*). Act10,1897,s.3(*10*). Act2,1899,s.2(*9*). Act7,1903,s.2(*f*). Ben.Act8,1865,s.1. Ben.Act7,1866,s.10. Ben.Act7,1868,s.1. Ben.Act4,1870,s.1. Ben.Act6,1873,s.3. Ben.Act5,1875,s.2.

WORDS AND PHRASES—*contd.*

"COLLECTOR" defined—*contd.* (*See also* CUSTOMS-COLLECTOR; DEPUTY COMMISSIONER; DISTRICT COLLECTOR . . . . . Ben.Act3,1876,s.3(*5*). Ben.Act7,1876,s.3(*13*). Ben.Act9,1879,s.3. Ben.Act6,1880,s.3. Ben.Act9,1880,s.4. Ben.Act2,1882,s.3. Ben.Act8,1895,s.2(*f*). Ben.Act1,1899,s.3(*8*). Bom.Act3,1869,s.13. Bom.Act5,1878,s.3(*4*). Bom.Act5,1879,s.3(*3*). Bom.Act7,1879,s.3(*5*). Bom.Act2,1890,s.(*b*). Bom.Act1,1904,s.3(*11*). Bur.Act1,1898,s.2(*12*). E.B&A.Act1.1909,s.5(*11*). E.B.&A.Act1,1910,s.3(*4*). Mad.Act5,1882,s.2. Mad.Act1,1891,s.3(*6*). P.Act1,1898,s.2(*9*). P.Act3,1905,s.3(*iii*). U.P.Act2,1892,s.2(*14*). U.P.Act2,1892,s.2(*3*). U.P.Act1,1904,s.4(*9*). Reg.2,1877,s.2(*b*).

"COLLECTORATE" defined (*See also* DISTRICT) . . . . Act6,1853,ss.3,4.

"COLONIAL COURT OF ADMIRALTY" defined . . . . 57-8V.c.60,s.742.

"COLONIAL LAW" defined . . . . . 53-4V.c.27,s.15.

"COLONIAL LEGISLATURE" defined . . . . . 52-3V.c.63,s.18(*7*).

"COLONY" defined . . . . . 13-14V.c.96,s.5. 23-4V.c.88,s.1. 37-8V.c.27,s.2. 44-5V.c.58,s.190(*23*). 46-7V.c.30,s.2. 52-3V.c.63,s.18(*3*). 53V.c.4,s.9(*2*). Act10,1897,s.3(*11*). Bur.Act1,1898,s.2(*13*). E.B.&A.Act1,1909,s.5(*12*). P.Act1,1898,s.2(*10*).

"COMMAND" defined . . . . . [1]Act5,1869,Pt.I,cl.(*e*)(*16*).

"COMMANDANT" defined . . . . . Act15,1887,s.3(*4*). Act5,1892,s.2(*4*). Act4,1904,s.2(*v*). Reg.2,1888,s.2(*2*). Reg.4,1890,s.3(*4*).

"COMMANDER-IN-CHIEF" defined . . . . . 44-5V.c.58,s.190,(*5*).

"COMMANDING OFFICER" defined . . . . . [1]Act5,1869,Pt.I,cl.(*e*)(*17*). Act5,1908,Sch.I,O.28,*r*.1, *expln.* Act14,1887,s.2(*1*)(*f*). Act7,1903,s.2.

"COMMENCEMENT" defined . . . . . 52-3V.c.63,s.36(*1*). Act10,1897,s.3(*12*). Ben.Act1,1899,s.3(*9*).

[1] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"COMMENCEMENT"-defined—*contd.*	Bom.Act1,1904,s.3(*12*). Bur.Act1,1898,s.2(*14*). E.B.&A.Act1,1909,s.5(*13*). Mad.Act1,1891,s.3(*7*). P.Act1,1898,s.2(*11*). U.P.Act1,1904,s.4(*10*).
"COMMISSIONER" defined (*See also* MUNICIPAL COMMISSIONER; MUNICIPAL COMMITTEE; SANITARY COMMISSIONER)	Act23,1850,s.14. Act8,1873,s.3(*5*). Act21,1881,s.3. Act5,1886,s.3(*3*). Act9,1886,s.2(*1*). Act20,1896,s.2(*d*). Act10,1897,s.3(*13*). Act7,1904,s.2(*3*). Ben.Act9,1871,s.1. Ben.Act9,1880,s.4. Ben.Act5,1883,s.1. Ben.Act1,1885,s.5. Ben.Act3,1885,s.5. Ben.Act8,1895,s.2(*g*). Ben.Act5,1897,s.3(*iii*). Ben.Act1,1899,s.3(*10*). Bom.Act5,1878,s.3(*3*). Bom.Act7,1882,s.4. Bom.Act3,1888,s.68(*1*). Bom.Act2,1890,s.3(*a*). Bom.Act3,1901,s.3(*3*). Bom.Act1,1904,s.3(*13*). Bur.Act1,1898,s.2(*15*). Bur.Act2,1898,s.3(*5*). Bur.Act3,1898,s.2(*1*). Bur.Act4,1905,s.4(*2*). E.B.&A.Act1,1909,s.5(*14*). Mad.Act1,1886,s.3(*3*). Mad.Act3,1888,s.3. Mad.Act4,1889,s.3(*l*). P.Act1,1898,s.2(*12*). P.Act3,1905,s.3(*iv*). U.P.Act1,1904,s.4(*11*). Reg.4,1872,s.1. Reg.2,1886,s.2(*1*). Reg.5,1893,s.3(*1*). Reg.1,1900,s.2(*1*)(*b*). Reg.5,1910,s.2(*iii*).
"COMMISSIONER, THE" defined	Ben.Act5,1876,s.6(*19*). Ben Act6,1880,s.3. Ben.Act3,1884,s.6(*18*). Ben.Act2,1891,s.3(*5*). Ben.Act1,1893,s.3(*7*). Bom.Act2,1887,s.2(*4*). Bom.Act3,1888,s.3(*d*).
"COMMISSIONER FOR OATHS" defined	57-8V.c.60,s.742.
"COMMISSIONER OF POLICE" defined (*See also* POLICE COMMISSIONER)	Act5,1898,s.4(*g*) Ben.Act1,1893,s.3(*b*). Ben.Act1,1896,s.2(*c*).
"COMMISSIONER OF REVENUE" defined	Act12,1896,s.3(*c*).

WORDS AND PHRASES—*contd.*

"COMMITTEE" defined (*See also* MUNICIPAL COMMITTEE; STANDING COMMITTEE) . . .	Act14,1879,s.2. Act19,1884,s.2(*6*). Act20,1891,s.3(2). Act16,1903,s.2(*b*). Act10,1904,s.2(*b*). Ben.Act9,1880,s.4. Bur.Act3,1898,s.2(*2*). Reg.5,1886,s.2(*1*). Reg.2,1907,s.2(*b*).
"COMMON CARRIER" defined	Act3,1865,s.2.
"COMMON GAMING-HOUSE" defined	Act21,1857,s.59. Ben.Act2,1866,s.51. Ben.Act4,1866,s.3. Ben.Act2,1867,s.1. Ben.Act3,1897,s.4. Bom.Act4,1887,s.3. Bur.Act1,1899,s.3(*1*). Mad.Act3,1888,s.3.
"COMMON LAND" defined	P.Act1,1902,s.2(*b*).
"COMMUNICATIONS" defined	Act15,1889,s.2(*2*).
"COMPANY" defined (*See also* GUARANTEED COMPANY; INSURANCE COMPANY; JOINT STOCK COMPANY; INDIAN RAILWAY COMPANY; RAILWAY COMPANY; UNREGISTERED COMPANY) . . .	46-7V.c.30,s.2. Act18,1885,s.16(*b*). Act2,1886,s.3(*2*). Act18,1891,s.2(*1*). Act1,1894,s.3(*e*). Reg.6,1910,s.2(*b*). Mad.Act4,1884,s.3(*ii*). Mad.Act5,1884,s.3(*ii*).
"COMPETENT WITNESS" defined	Act1,1872,s.120.
"COMPLAINT" defined	Act5,1898,s.4(*h*).
"COMPULSORY DEPOSIT" defined	Act9,1897,s.2(*4*).
"CONCLUSIVE EVIDENCE OF FACT" defined	Act6,1882,s.77.
"CONCLUSIVE PROOF" defined	Act1,1872,s.4.
"CONDITIONAL" defined	Act16,1881,s.5.
"CONDITIONAL SALE" defined (*See also* MORTGAGE BY CONDITIONAL SALE) . . .	Act13,1900,s.2(*6*). U.P.Act2,1903,s.2(*5*).
"CONDUCT" defined	Act1,1872,s.8,*expln.1*.
"CONSANGUINITY" defined (*See also* COLLATERAL CONSANGUINITY; LINEAL CONSANGUINITY	Act10,1865,s.20.
"CONSENT" defined (*See also* FREE CONSENT) . . .	37-8V.c.77,s.14. Act45,1860,s.90. Act9,1872,s.13.
"CONSIDERATION" defined	Act9,1872,s.2(*d*).
"CONSIGNEE" defined	Act9,1874,s.32.
"CONSTABLE" defined	44-5V.c.58,s.190(*38*). 44-5V.c.69,s.39. Bom.Act7,1867,s.1. Bom.Act4,1890,s.3(*c*).
"CONSTRUCT"; "CONSTRUCTION" defined	P.Act3,1905,s.2(*v*).

WORDS AND PHRASES—*contd.*

"CONSULAR OFFICER" defined	52-3V.c.63,s.12(*20*). 57-8V.c.60,s.742. Act10,1897,s.3(*14*). Ben.Act1,1899,s.3(*11*). Bom.Act1,1904,s.3(*14*). Bur.Act1,1898,s.2(*16*). E.B.&A.Act1,1909,s.5(*15*). P.Act1,1898,s.2(*13*).
"CONSUMER" defined	Act9,1910,s.2(*c*).
"CONTEMPT" defined	Act1,1845,s.32. Act11,1859,s.57.
"CONTENTION" defined	Act10,1865,s.253A,*expln.* Act5,1881,s.73,*expln.*
"CONTESTED ELECTION" defined	Bom.Act3,1888,s.26(*2*)(*j*).
"CONTINGENT CONTRACT" defined	Act9,1872,s.31.
"CONTINGENT INTEREST" defined	Act4,1882,s.21.
"CONTINGENT RIGHT" defined	Act27,1866,s.3.
"CONTINUING GUARANTEE" defined	Act9,1872,s.129.
"CONTINUING OFFENCE" defined	Ben.Act2,1891,s.56(*2*).
"CONTINUING TRUSTEE" defined	Act28,1866,s.34.
"CONTINUOUS EASEMENT" defined	Act5,1882,s.5.
"CONTINUOUS POSSESSION" defined	Act2,1876,s.7,*expln.1.* Bur.Act4,1898,s.*4*(*9*).
"CONTRABAND SALT" defined	Bom.Act2,1890,s.3(*m*). Mad.Act4,1889,s.3(*k*).
"CONTRACT" defined (*See also* CONTINGENT CONTRACT; LABOUR-CONTRACT; VOID CONTRACT; VOIDABLE CONTRACT)	Act13,1859,s.4. Act9,1872,s.2(*h*).
"CONTRACT OF GUARANTEE" defined	Act9,1872,s.126.
"CONTRACT OF INDEMNITY" defined	Act9,1872,s.126.
"CONTRACT FOR SALE OF IMMOVEABLE PROPERTY" defined	Act4,1882,s.54.
"CONTRACTOR" defined (*See also* SUB-CONTRACTOR)	Act6,1901,s.2(*1*)(*c*).
"CONTRIBUTORY" defined	Act6,1882,s.124.
"CONVEY" defined	Act27,1866,s.2.
"CONVEYANCE" defined (*See also* INSTRUMENT)	Act27,1866,s.2. Act2,1899,s.2(*10*).
"CONVICTED CRIMINAL PRISONER" defined	Act9,1894,s.3(*3*).
"CONVICTION" defined	33-4V.c.52,s.26. Mad.Act3,1888,s.3.
"COPYRIGHT" defined	5-6V.c.45,s.2. [1]Act5,1888,s.50(*2*).
"CORPORATION" defined	Act6,1890,s.3(*2*). Ben.Act1,1880,s.28o Sch. Bom.Act3,1888,s.3(*5*).
"CORPORATION OF CALCUTTA" defined	Ben.Act3,1899,s.6.
"CORPS" defined	44-5V.c.58,s.190(*15*). [2]Act5,1869,Pt.I,cl.(*e*)(*10*).
"CORRECT" (METER) defined	Act9,1910,s.26,*expln.*
"COTTON" defined	Ben.Act1,1893,s.3(*2*).
"COTTON GOODS" defined	Act2,1896,s.3(*5*).
"COTTON YARN" defined	Act2,1896,s.3(*4*).

[1] To be repealed by Act 2, 1911.
[2] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"COUNCIL" defined . . . . . Ben.Act3,1866,s.6. Bom.Act13,1866,s.6.

"COUNCIL OF ELDERS" defined . . . . . Reg.3,1892,s.4. Reg.3,1901,s.2(*a*).

"COUNCILLOR" defined . . . . . Bom.Act3,1888,s.3(*c*). Bom.Act3,1901,s.3(*2*).

"COUNTERFEIT" defined . . . . . Act45,1860,s.328.

"COUNTERFEITING A GOVERNMENT STAMP" defined . . Act45,1860,s.255,*expln.*

"COUNTERFEITING COIN" defined . . . . . Act45,1860,s.231,*expln.*

"COUNTRY-LIQUOR" defined . . . . . Ben.Act5,1909,s.4. Bom.Act5,1878,s.3(*8*). E.B.&A.Act1,1910,s.4. Mad.Act1,1886,s.3(*11*). U.P.Act4,1910,s.4(*2*).

"COURT" defined (*See also* ADMIRALTY COURT; BRITISH COURT; BRITISH SLAVE COURT; CITY COURT; CIVIL COURT; COLONIAL COURT OF ADMIRALTY; CRIMINAL COURT; DISTRICT COURT; FOREIGN COURT; HIGH COURT; INDIAN MARINE COURT; REVENUE COURT; SLAVE COURT; SMALL CAUSE COURT; SPECIAL COURT; SUBORDINATE COURT; SUPERIOR COURT; VICE-ADMIRALTY COURT; VILLAGE COURT) . . . . . 57-8V.c.60,s.742. Act20,1863,s.2. Act15,1865,s.2. Act4,1869,s.3(*4*). Act1,1872,s.3. Act4,1882,s.57(*e*). Act6,1882,ss.3,130,218. Act22,1886,s.3(*1*). Act8,1890,s.4(*5*). Act18,1891,s.2(*5*). Act1,1894,s.3(*d*). Ben.Act4,1870,s.1. Ben.Act3,1876,s.3(*6*).

"COURT HAVING ADMIRALTY JURISDICTION" defined . . . Act16,1891,s.3.

"COURT-MARTIAL" defined . . . . . [1]Act5,1869,Pt.I,cl.(*e*)(*19*).

"COURT OF ADMIRALTY" defined (*See also* ADMIRALTY COURT) . . . 33-4V.c.90,s.30.

"COURT OF JUSTICE" defined . . . . . Act45,1860,s.20.

"COURT OF LAW" defined . . . . . 44-5V.c.58,s.190(*36*).

"COURT OF THE RESIDENT" defined . . . . . Act2,1864,s.1.

"COURT OF SMALL CAUSES" defined. *See* SMALL CAUSE COURT.

"COURT WHICH PASSED A DECREE" defined . . . . . Act5,1908,s.37.

"COUSIN" defined (*See also* COUSIN-GERMAN; FIRST COUSIN; FIRST COUSIN ONCE REMOVED; SECOND COUSIN) . . . . . Act10,1865,s.86.

"COUSIN-GERMAN" defined . . . . . Act10,1865,s.86.

"COVERING" defined . . . . . Act4,1889,s.5(*3*).

"CREDITOR" defined . . . . . Act9,1872,s.126. Act3,1907,s.2(*b*). Act3,1909,s.2(*a*).

"CREEK" defined . . . . . P.Act3,1905,s.3(*e*).

"CRIMINAL BREACH OF TRUST" defined . . . . . Act45,1860,s.405.

"CRIMINAL COURT" defined . . . . . [1]Act5,1869,Pt.I,cl.(*e*)(*20*). Act4,1871,s.17. Act14,1887,s.2( )(*i*).

"CRIMINAL FORCE" defined . . . . . Act45,1860,s.350. Act15,1887,s.3(*6*). Act5,1892,s.2(*6*). Reg.3,1881,s.2. Reg.2,1888,s.3(*4*). Reg.4,1890,s.3(*5*).

[1] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"CRIMINAL INTIMIDATION" defined . . . . . Act45,1860,s.503.
"CRIMINAL LUNATIC" defined . . . . . 47-8V.c.31,s.18.
"CRIMINAL TRESPASS" defined . . . . . Act45,1860,s.441.
"CROPS" defined. *See* STANDING CROPS.
"CROSS-EXAMINATION" defined . . . . . Act1,1872,s.137.
"CROSSING" defined . . . . . Act26,1881,ss.123,124.
"CUBICAL EXTENT" (of building) defined . . . . . Ben.Act3,1899,s.3(*11*).
"CULPABLE HOMICIDE" defined . . . . . Act45,1860,s.299.
"CULPABLE HOMICIDE NOT AMOUNTING TO MURDER" defined . Act45,1860,s.300,*exceps.*
"CULTIVATING RAIYAT" defined . . . . . Ben.Act9,1880,s.4. Ben.Act8,1895,s.2(*a*).
"CURRENCY DEPARTMENT" defined. *See* DEPARTMENT OF PAPER CURRENCY.
"CUSTODY" defined (*See also* MILITARY CUSTODY) . . Act14,1887,s.72(*2*).
"CUSTOM" defined. *See* GENERAL CUSTOM OR RIGHT.
"CUSTOMS-AUTHORITY" defined. *See* CHIEF CUSTOMS-AUTHORITY.
"CUSTOMS-COLLECTOR" defined . . . . . Act8,1878,s.3(*c*). Act9,1879,s.3.
"CUSTOMS-OFFICER," definitions of. *See* CHIEF CUSTOMS-AUTHORITY; CHIEF CUSTOMS-OFFICER; CHIEF OFFICER OF CUSTOMS; CUSTOMS-COLLECTOR.
"CUSTOMS-PORT" defined . . . . . Act8,1878,s.3(*d*). Act2,1896,s.3(*8*).
"CUSTOMARY EASEMENTS" defined . . . . . Act5,1882,s.18.
"DACOITY" defined . . . . . Act45,1860,s.391.
"DAILY FINE" defined . . . . . Act9,1910,s.2(*d*).
"DAMAGE BY FIRE" defined (*See also* POLICY OF INSURANCE) . Act20,1891,s.173(*3*). Bom.Act3,1888,s.363. Mad.Act3,1888,s.61.
"DANGEROUS DISEASE" defined . . . . . Ben.Act3,1899,s.3(*12*). Bom.Act3,1888,s.3(*aa*). Bom.Act3,1901,s.3(*16*). Mad.Act3,1904,s.3(*7*).
"DANGEROUS PETROLEUM" defined . . . . . Act8,1899,s.2(*b*).
"DANGEROUS TRADE" defined . . . . . Mad.Act3,1904,s.3(*8*).
"DAROGHA" defined. *See* POLICE-DAROGHA.
"DAUGHTER" defined . . . . . Act10,1865,s.87. Act1,1869,s.21.
"DAUGHTER-IN-LAW" defined . . . . . Act21,1870,s.6.
"DAY" defined. *See* APPOINTED DAY; PRESCRIBED DAY; WORKING DAY.
"DEATH" defined . . . . . Act45,1860,s.46.
"DEBT" defined (*See also* PRIVATE DEBT; PUBLIC DEBT) . Act6,1882,s.130. Act7,1889,s.4(*2*). Act3,1907,s.2(*2*). Act9,1908,s.20,*expln.* Act3,1909,s.2(*b*). Bom.Act7,1866,s.7.

WORDS AND PHRASES—*contd.*

"DEBTOR" defined (*See also* JUDGMENT-DEBTOR; PRINCIPAL DEBTOR) . . . . . Act3,1907,s.2(*b*). Act3,1909,s.2(*b*).
"DECK-LINES" defined . . . . . 57-8V.c.60,s.437(*1*).
"DECLARATION" defined . . . . . Act45,1860,s.200,*expln.*
"DECISION OF A COURT OF COMPETENT JURISDICTION" defined . U.P.Act3,1892,s.13,*expln.*
"DECORATION" defined. *See* MILITARY DECORATION.
"DECREE" defined (*See also* COURT WHICH PASSED A DECREE) Act5,1908,s.2(*2*).
"DECREE OF COURT" defined . . . . . Act22,1886,s.71.
"DECREE-HOLDER" defined . . . . . Act5,1908,s.2(*3*).
"DEED OF SETTLEMENT" defined . . . . . Act12,1895,s.3(*1*).
"DEFACE" defined . . . . . Act3,1906,s.2(*a*).
"DEFAMATION" defined . . . . . Act45,1860,s.499.
"DEFAULTER" defined (*See also* REVENUE-DEFAULTER) . Act2,1876,s.44. Act18,1881,s.91. Act2,1886,s.3(*8*). Act17,1887,s.3(*8*). Act1,1890,s.2(*3*). Bom.Act5,1879,s.147. Reg.2,1877,s.74. Reg.1,1889,s.6(*2*). Reg.3,1889,s.38(*3*).
"DEFENDANT" defined . . . . . Act9,1908,s.2(*4*). Bom.Act2,1906,s.3(*b*).
"DEFILE" defined . . . . . Bur.Act8,1907,s.2(*1*).
"DELEGATES" defined. *See* DISTRICT DELEGATES.
"DELEGATION" defined . . . . . Act2,1882,s.47,*expln.*
"DELIVERY (OF GOODS SOLD)" defined . . . . . Act9,1872,s.90.
"DEMAND" defined . . . . . Ben.Act6,1870,s.53. Ben.Act9,1879,s.29.
"DEMONSTRATIVE LEGACY" defined . . . . . Act10,1865,s.137. Act5,1881,s.3.
"DENATURED" defined . . . . . Ben.Act5,1909,s.2(*b*). E.B.&A.Act1,1910,s.3(*5*). U.P.Act4,1910,s.3(*9*).
"DEPARTMENT" defined . . . . . [1]Act5,1869,Pt.I,cl.(*e*)(*11*).
"DEPENDANT" defined . . . . . 6Edw.7,c.58,s.13.
"DEPENDANT (OF EMIGRANT)" defined . . . . . Act6,1901,s.2(*1*)(*d*). Act17,1908,s.2(*1*)(*i*).
"DEPENDENT TALUK" defined . . . . . Ben.Reg.19,1793,s.6.
"DEPOSIT" defined (*See also* COMPULSORY DEPOSIT) . . Act5,1873,s.3.
"DEPOSITION" defined . . . . . 44-5V.c.69,s.39.
"DEPOSITOR" defined . . . . . Act5,1873,s.3.
"DEPÔT" defined . . . . . Ben.Act3,1899,s.3(*13*).
"DEPUTY COLLECTOR" defined (*See also* INDEPENDENT DEPUTY COLLECTOR) . . Ben.Act5,1875,s.2. Ben.Act5,1897,s.3(*iv*). Bom.Act2,1890,s.3(*b*).
"DEPUTY COLLECTORATE" defined . . . . . Act6,1853,s.5.

[1] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"DEPUTY COMMISSIONER" defined (*See also* COLLECTOR)	Act20,1883,s.3(*9*). Act9,1886,s.2(*1*). Act15,1887,s.3(*3*). Act3,1893,s.2. Ben.Act5,1887,s.2. Bom.Act3,1888,s.3(*e*). Bur.Act1,1898,s.2(*17*). Bur.Act3,1898,s.2(*3*). Bur.Act4,1902,s.3(*3*). E.B.&A.Act1,1909,s.5(*16*). P.Act1,1898,s.2(*14*). P.Act2,1900,s.2(*e*). P.Act1,1902,s.2(*f*). Reg.2,1886,s.2(*2*). Reg.4,1890,s.3(*3*). Reg.5,1890,s.2(*1*). Reg.5,1893,s.3(*2*). Reg.8,1893,s.2(*1*). Reg.1,1894,s.10(*d*). Reg.3,1901,s.2(*b*). Reg.4,1910,s.3(*a*). Reg.5,1910,s.2(*iv*).
"DEPUTY INSPECTOR GENERAL" defined	Bom.Act4,1890,s.3(*a*).
"DEPUTY SUPERINTENDENT" defined	Bur.Act2,1898,s.3(*3*).
"DESCENDANT" defined	Act30,1839,s.1. Act10,1865,s.86. Act1,1869,s.21.
"DESCENT" defined	Act30,1839,s.1.
"DESERTION" defined	Act4,1869,s.3(*9*). Act14,1887,ss.19,82(*7*).
"DESIGN" defined (*See also* NEW AND ORIGINAL DESIGN)	[1]Act5,1888,s.50(*1*).
"DEVISEE" defined	Act27,1866,s.2.
"DHARA LAND" defined	Bom.Act1,1880,s.3(*9*).
"DHAREKARI" defined	Bom.Act1,1880,s.3(*6*).
"DIE WITHOUT ISSUE" defined	Act25,1838,s.24.
"DIPLOMA" defined	49-50V.c.48,s.27.
"DIRECT DAMAGE" defined	Ben.Act3,1899,s.352.
"DIRECTOR" defined	8Edw.7.c.67,s.274(*6*).
"DIRECTORS" defined (*See also* BOARD)	Act11,1876,s.3.
"DISABILITY" defined	33V.c.14,s.17.
"DISAFFECTION" defined	Act45,1860,s.124A,*expln.* Act1,1910,s.4( ),*expln.*,*1*.
"DISCONTINUOUS EASEMENT" defined	Act5,1882,s.5.
"DISEASE" defined (*See* DANGEROUS DISEASE).	
"DISEASED" defined	Act13,1899,s.2.
"DISHONESTLY" defined (*See also* FRAUDULENTLY)	Act45,1860,s.24.
"DISHONOURED BY NON-ACCEPTANCE" defined	Act26,1881,s.91.
"DISHONOURED BY NON-PAYMENT" defined	Act26,1881,s.92.
"DISPOSITION OF UNOWNED LANDS" defined	Act18,1881,s.41.
"DISPROVED" defined	Act1,1872,s.9.
"DISQUALIFIED PROPRIETOR" defined	Ben.Act4,1870,s.1.
"DISTRAINING OFFICER" defined	Mad.Act6,1867,s.6.
"DISTRIBUTING LICENSEE" defined	Act9,1910,Sch.,cl.,IX.

[1] To be repealed by Act 2, 1911.

WORDS AND PHRASES—*contd.*

"DISTRIBUTING MAIN" defined . . . . Act9,1910,s.2(*e*).

"DISTRIBUTION (OF ASSETS)" defined . . Act2,1874,s.54,*expln.*

"DISTRIBUTION (OF ASSETS)" defined . . Act20,1856,s.61.
Act8,1873,s.3(*b*).
Act13,1879,s.3.
Act5,1886,s.3(*1*).
Act1,1890,s.2(*1*).
Act5,1898,s.7.
Act5,1908,s.2.
Act16,1908,s.2.
Ben.Act6,1873,s.3.
Ben.Act1,1876,s.2.
Ben.Act7,1876,s.3(*14*).
Ben.Act9,1880,s.4.
Ben.Act2,1882,s.3.
Bom.Act7,1867,s.1.
Bom.Act4,1890,s.3( ).
Bur.Act2,1905,s.3(*10*).
Mad.Act5,1884,s.3(*iii*).
P.Act3,1905,s.3(*vii*).
Reg.1,1894,s.10(*c*).

"DISTRICT BOARD" defined . . . . . U.P.Act2,1906,s.2(*2*).

"DISTRICT COLLECTOR" defined. (*See also* COLLECTOR) . Ben.Act1,1895,s.4(*1*).
E.B.&A.Act1,1910,s.3(*6*).
Mad.Act1,1891,s.3(*b*).

"DISTRICT COURT" defined . . . . Act16,1908,s.2.
Act6,1882,s.3.
Act5,1908,s.2.
Act11,1886,s.3(*13*).
[1]Act5,1888,ss.4( )&50(*4*).
Act7,1889,s.3(*1*).
Act8,1890,s.4(*4*).
Act3,1907,s.2(*c*).
Bom.Act1,1905,s.2(*a*).
Bur.Act1,1898,s.2(*15*).
E.B.&A.Act1,1909,s.5(*17*).
Reg.1,1894,s.11(*e*).

"DISTRICT DELEGATES" defined . . . . Act10,1865,s.235A.
Act5,1881,s.52.

"DISTRICT FOREST-OFFICER" defined . . Mad.Act5,1882,s.2.

"DISTRICT FUND" defined . . . U.P.Act2,1906,s.2(*2*).

"DISTRICT JUDGE" defined . . . . Act10,1865,s.3.
Act4,1869,s.3(*2*).
Act5,1881,s.3.
Act10,1897,s.3(*15*).
Ben.Act1,1899,s.3(*12*).
Bom.Act1,1904,s.3(*15*).
Bur.Act1,1898,s.2(*19*).
E.B.&A.Act1,1909,s.5(*18*).
Mad.Act1,1889,s.5am.
Mad.Act4,1904,s.(3).
P.Act1,1898,s.2(*15*).
U.P.Act3,1892,s.2(*4*).
U.P.Act2,1896,s.3(*3*)
U.P.Act1,1904,s.4(12).
Reg.1,1894,s.10(*e*).

[1] To be repealed by Act 2, 1911.

WORDS AND PHRASES—*contd.*

"DISTRICT MAGISTRATE" defined (*See also* MAGISTRATE OF THE DISTRICT) . . . Act11,1886,s.3(*12*). Act5,1892,s.2(*3*). Act8,1897,s.4(*c*).

"DISTRICT MUNSIF" defined . . . . . Mad.Act1,1889,s.5(am Mad.Act4,1904,s.3).

"DISTRICT POLICE" defined . . . . . Bom.Act8,1867,s.1.

"DISTRICT POLICE-STATION" defined . . . . . Bom.Act8,1867,s.22.

"DISTRICT SUPERINTENDENT" defined . . . . . Act5,1861,s.1. Bom.Act8,1867,s.1. Bom.Act4,1890,s.3(*a*). Reg.3,1881,s.2. Reg.1,1894,s.10(*9*).

"DIVISION" defined (*See also* LOCAL DIVISION) . . . Act2,1902,s.2(*1*) (*b*)(sub. Act5,1909). Act7,1903,s.2(*c*)(sub.Act 5,1909). Mad.Act3,1904,s.3(*9*).

"DIVISIONAL CANAL-OFFICER" defined . . . . . Act8,1873,s.3. Bur.Act2,1905,s.3(*8*).

"DIVISIONAL COMMISSIONER" defined . . . . Mad.Act3,1904,s.3(*10*).

"DOCK" defined . . . . . Bom.Act6,1879,s.3(*8*). Mad.Act2,1905,s.5(*3*).

"DOCUMENT" defined (*See also* FORGED DOCUMENT; INSTRUMENT; MAKING A FALSE DOCUMENT; PRIVATE DOCUMENT; PUBLIC DOCUMENT) . . . . . 52-3V.c.52,s.8. Act45,1860,s.29. Act1,1872,s.3. Act1,1880,s.3. Act15,1889,s.2(*3*). Act10,1897,s.3(*16*). Act1,1910,s.2. Ben.Act1,1899,s.3(*13*). Bom.Act1,1904,s.3(*16*). Bur.Act1,1898,s.2(*20*). E.B.&A.Act1,1909,s.5(*19*). Mad.Act1,1891,s.3(*9*). P.Act1,1898,s.2(*16*). U.P.Act1,1904,s.4(*13*).

"DOMESTIC BUILDING" defined . . . . . Ben.Act3,1899,s.3(*14*).

"DOMESTIC PURPOSES" defined. *See* SUPPLY OF WATER FOR DOMESTIC PURPOSES.

"DOMINANT HERITAGE" defined . . . . . Act5,1882,s.4.

"DOMINANT OWNER" defined . . . . . Act5,1882,s.4.

"DONEE" defined . . . . . Act4,1882,s.122.

"DONOR" defined . . . . . Act4,1882,s.122.

"DRAIN" defined (*See also* MUNICIPAL DRAIN) . . . Ben.Act3,1899,s.3(*16*). Ben.Act1,1900,s.4. Bom.Act3,1888,s.3(*u*). Mad.Act3,1904,s.3(*11*). U.P.Act3,1894,s.3(*b*). U.P.Act1,1900,s.3(*3*).

"DRAINAGE-WORK" defined . . . . . Act8,1873,s.3(*3*). Ben.Act3,1876,s.3(*3*). Bom.Act7,1879,s.3(*3*). Bur.Act2,1905,ss.3(*4*),59.

"DRAMATIC PIECE" defined . . . . . 5-6V.c.45,s.2.

WORDS AND PHRASES—*contd.*

"DRAWEE" defined . . . . . Act26,1881,s.7.
"DRAWEE IN CASE OF NEED" defined . . . . . Act26,1881,s.7.
"DRAWER" defined . . . . . Act26,1881,s.7.
"DRIFT" defined . . . . . Mad.Act7,1871,s.1.
"DRUG" defined (*See also* INTOXICATING DRUG . . . . Ben.Act3,1899,s.3(*17*).
"DUCT" defined . . . . . Reg.8,1887,s.2(*5*).
"DUE COURSE" defined. *See* HOLDER IN DUE COURSE; PAYMENT IN DUE COURSE.
"DULY STAMPED" defined . . . . . Act2,1899,s.2(*11*).
"DUTY" defined (*See* MUNICIPAL DUTY; PROBATE-DUTY; TOWN-DUTIES).
"DWELLING-HOUSE" defined . . . . . Ben.Act3,1899,s.3(*18*). Ben.Act1,1900,s.4.
"EASEMENT" defined (*See also* APPARENT EASEMENT; CONTINUOUS EASEMENT; DISCONTINUOUS EASEMENT; NON-APPARENT EASEMENT) . . . . . Act5,1882,s.4. Act9,1908,s.2(*5*).
"EASEMENT IMPLIEDLY RELEASED" defined . . . . Act5,1882,s.38,*expln.1.*
"EASEMENT OF NECESSITY" defined . . . . . Act5,1882,s.13.
"EAST INDIA STOCK" defined . . . . . 36V.c.17,s.2.
"EASTERN BENGAL" defined . . . . . E.B.&A.Act1,1909,s.5(*20*).
"EASTERN BENGAL AND ASSAM" defined . . . . . " s.5(*21*).
"EASTERN BENGAL AND ASSAM ACT" defined . . . . " s.5(*22*).
"EFFECTS" defined . . . . . 57-8V.c.60,s.742.
"EJECTMENT" defined . . . . . Mad.Act1,1900,s.3(*2*).
"ELECTRIC SUPPLY LINE" defined . . . . . Act9,1910,s.2(*f*).
"EMBANKMENT" defined (*See also* FIELD EMBANKMENT; FLOOD EMBANKMENT; PUBLIC EMBANKMENT; STREAM-EMBANKMENT) . . . . . Act32,1855,s.2. [1]Act13,1877,s.2. Ben.Act6,1873,s.3. Ben.Act2,1882,s.3. Bur.Act4,1909,s.3(*1*).
"EMBANKMENT-OFFICER" defined . . . . . [1]Act13,1877,s.2. Bur.Act4,1909,s.3(*3*).
"EMIGRANT" defined . . . . . Act17,1908,s.2(*1*)(*ii*),(*2*).
"EMIGRANT-VESSEL" defined . . . . . Act17,1908,s.2(*1*)(*iii*).
"EMIGRATE" defined . . . . . Act6,1901,s.2(*1*)(*e*). Act17,1908,s.2(*1*)(*iv*),(*2*).
"EMIGRATION" defined . . . . . Act17,1908,s.2(*1*),(*iv*),(*2*).
"EMOLUMENTS" defined . . . . . Mad.Act3,1895,s.4.
"EMPLOYED" defined (*See also* ACTUALLY EMPLOYED) . . [2]Act15,1881,s.2. Act8,1901,s.3(*c*).
"EMPLOYER" defined . . . . . Act6,1901,s.2(*1*)(*f*). Mad.Act1,1903,s.3(*1*)(*a*). 6Edw.7,c.58,s.13.
"ENACTMENT" defined . . . . . Act10,1897,s.3(*17*). Ben.Act1,1899,s.3(*14*). Bom.Act1,1904,s.3(*17*). Bur.Act1,1898,s.2(*21*). E.B.&A.Act1,1909,s.5(*23*). P.Act1,1898,s.2(*17*). U.P.Act1,1904,s.4(*14*).
"ENCROACHMENT" defined . . . . . Bom.Act2,1876,s.29.

[1] To be repealed on the coming into force of Bur. Act 4, 1909.
[2] To be repealed by Act 12, 1911.

WORDS AND PHRASES—*contd.*

"ENCUMBRANCE" defined. *See* INCUMBRANCE.
"ENDORSED" defined. *See* INDORSED.
"ENDORSEE" defined. *See* INDORSEE.
"ENDORSEMENT" defined. *See* INDORSEMENT.
"ENDORSER" defined. *See* INDORSER.

"ENEMY" defined (*See also* ALIEN ENEMY)	43-5V.c.58,s.190(*20*). [1]Act5,1869,Pt.I,cl.(*e*)(*13*). Act14,1887,s.2(*1*)(*g*).
"ENERGY" defined.	Act9,1910,s.2(*g*).
"ENGINE" defined. *See* FIXED ENGINE.	
"ENGINEER" defined	Ben.Act6,1873,s.3. Ben.Act2,1882,s.3. Ben.Act8,1895,s.2(*h*). Bom.Act6,1879,s.24. Mad.Act3,1904,s.3(*12*). (am.Mad.Act4,1907,s.3).
"ENGLISH MORTGAGE" defined	Act4,1882,s.58(*e*).
"ENHANCEMENT" defined	Ben.Act6,1908,s.3(*ix*).
"ENHANCEMENT OR REDUCTION OF RENT" defined	Act16,1887,ss.27(*4*), 28(*4*).
"ENJOYMENT" defined (*See also* BENEFICIAL ENJOYMENT)	Act5,1882,s.15,*expln.1*.
"ENQUIRY" defined. *See* INQUIRY.	
"ENTITLED" defined. *See* PERSON LAST ENTITLED	
"ENTITLED TO ACT" defined	Act1,1894,s.3(*g*). Act7,1903,s.2(*i*).
"EQUIPPING" defined	33-4V.c.90,s.30.
"ERECT A BUILDING" defined	Bom.Act3,1888,s.337(*2*). Bom.Act3,1901,s.96, *expln.*
"ERECT ANY BUILDING" defined "ERECT OR RE-ERECT ANY BUILDING" defined	Reg.5,1886,s.85,*expln.* Act20,1891,s.94. Bur.Act3,1898,s.92(*6*). U.P.Act1,1900,s.3(*9*).
"ERECT OR RE-ERECT ANY HOUSE, NOT BEING A HUT" defined	Ben.Act3,1884,s.240.
"ESTABLISHED PAR VALUE" defined	Act13,1876,s.10.
"ESTATE" defined (*See also* IMPARTIBLE ESTATE; ISTIMRARI ESTATE; JOINT INDIVIDUAL ESTATE; PARENT ESTATE; PERMANENTLY-SETTLED ESTATE; PRIVATE ESTATE; PROPRIETARY ESTATE; SEPARATE ESTATE; TEMPORARILY-SETTLED ESTATE; *and see* PERSONAL ESTATE; REAL ESTATE)	Act1,1869,s.2. Act7,1870,s.7,*expln.* Act8,1885,s.3(*1*). Act16,1887,s.4(*9*). Act17,1887,s.3(*1*). Act6,1901,s.2(*1*)(*g*). Ben.Act7,1868,s.1. Ben.Act4,1870,s.1. Ben.Act6,1873,s.3. Ben.Act5,1875,s.2. Ben.Act7,1876,s.3(*2*)[am. Ben.Act2,1906,s.2(*2*); E.B.&A.Act1,1907, s.2]. Ben.Act9,1879,s.3. Ben.Act6,1880,s.3. Ben.Act9,1880,ss.4,40A. Ben.Act2,1882,s.3.

[1] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"ESTATE" defined —*contd.* (*See also* IMPARTIBLE ESTATE; ISTIMRARI ESTATE; JOINT INDIVIDUAL ETATE; PARENT ESTATE; PERMANENTLY-SETTLED ESTATE; PRIVATE ESTATE; PROPRIETARY ESTATE; SEPARATE ESTATE; TEMPORARILY-SETTLED ESTATE; *and see* PERSONAL ESTATE; REAL ESTATE)	Ben.Act8,1895,s.2(*b*). Ben.Act3,1904,s.2(*1*)(*a*). Ben.Act6,1908,s.3(*x*). Bom.Act5,1879,s.3(*5*). Mad.Act2,1894,s.4 Mad.Act3,1896,s.2. Mad.Act4,1897,s.3(*i*). Mad.Act1,1903,s.3(*1*)(*b*). Mad.Act1,1908,s.3(*2*). U.P.Act2,1906,s.2(*3*). Reg.1,1886,s.3(*b*). Reg.6,1893,s.2(*4*). Reg.1,1899,s.3(*4*).
"EUROPEAN" defined (*See also* PERSON OF EUROPEAN EXTRACTION)	Act24,1855,s.15.
"EUROPEAN BRITISH SUBJECT" defined	Act15,1903,s.2(*a*) Act5,1898,s.4(*i*). Act8,1890,s.4(*7*).
"EVIDENCE" defined (*See also* CONCLUSIVE EVIDENCE; CONTINUOUS PROOF; FABRICATING FALSE EVIDENCE; GIVING FALSE EVIDENCE; ORAL EVIDENCE; PRIMARY EVIDENCE; SECONDARY EVIDENCE)	Act24,1870,s.16. Act1,1872,s.3. Act6,1876,s.15. Reg.4,1872,s.31.
"EXAMINATION-IN-CHIEF" defined	Act1,1872,s.137.
"EXCHANGE" defined (*See also* BILL OF EXCHANGE; ESTABLISHED PAR VALUE) . . .	Act4,1882,s.118.
"EXCISE COMMISSIONER" defined	E.B.&A.Act1,1910, s.3(*8*). U.P.Act4,1910,s.3(*3*).
"EXCISE-OFFICER" defined (*See also* ABKARI-OFFICER) .	Act12,1896,s.44(*2*). Ben.Act5,1909,s.2(*9*). E.B.&A.Act1,1910, s.3(*9*). U.P.Act4,1910,s.3(*2*).
"EXCISE-REVENUE" defined	Ben.Act5,1909,s.2(*10*). E.B.&A.Act1,1910, s.3(*10*). U.P.Act4,1910,s.3(*1*).
"EXCISEABLE ARTICLE" defined	Ben.Act5,1909,s.2(*7*). E.B.and.A.Act1,1910, s.3(*7*). U.P.Act4,1910,s.3(*13*).
"EXCUSE" defined. *See* LAWFUL EXCUSE.	
"EXECUTOR" defined	Act10,1865,s.3. Act5,1881,s.3.
"EXECUTOR OF HIS OWN WRONG" defined	Act10,1865,s.265.
"EXPECTING TO BE A PUBLIC SERVANT" defined . . .	Act45,1860,s.141,*expln.*
"EXPERT" defined	Act1,1872,s.45.
"EXPLOSIVE" defined	Act4,1884,s.4(*1*). Act20,1891,s.3(*6*).
"EXPLOSIVE SUBSTANCE" defined	Act6,1908,s.2. Ben.Act2,1866,s.54,(add. Ben.Act3 1910,s.4). Ben.Act4,1866.s 3(add Ben.Act3,1910,s.(*4*).

WORDS AND PHRASES—*contd.*

"EXPORT" defined	Act1,1878,s.3. Act11,1878,s.6,*expln.* Bom.Act5,1878,s.3(*10*), E.B.&A.Act1,1910, s.3(*11*). Mad.Act1,1886,s.3(*16*). U.P.Act4,1910,s.3(*18*).
"EXPRESS AUTHORITY" defined	Act9,1872,s.187.
"EXPRESS PROMISE" defined	Act9,1872,s 9.
"EX-PROPRIETARY TENANT" defined	Act22,1886,s.7A. U.P.Act2,1901,s.10. Reg.2,1877,s.41.
"EXTENT OF INTEREST" defined	Ben.Act7,1876,s.3(*3*).
"EXTORTION" defined	Act45,1860,s.383.
"EXTRADITION CRIME" defined	33-4V.c.52,s.26.
"EXTRADITION OFFENCE" defined	Act15,1903,s.2(*b*).
"EXTRAORDINARY RESOLUTION" defined	Act6,1882,s.173.
"FABRICATING FALSE EVIDENCE" defined	Act45,1860,s.192.
"FACT" defined (*See also* QUESTION OF FACT)	Act1,1872,s.3.
"FACT IN ISSUE" defined	Act1,1872,s.3,*expln.*
"FACTORY" defined (*See also* SALT FACTORY)	[1]Act15,1881,s.2.
"FALLOW" defined	Reg.6,1893,s.2(*5*),*expln.*
"FALSE DOCUMENT" defined. *See* MAKING A FALSE DOCUMENT.	
"FALSE EVIDENCE" defined. *See* FABRICATING FALSE EVIDENCE; GIVING FALSE EVIDENCE.	
"FALSE PROPERTY-MARK" defined. *See* USING A FALSE PROPERTY-MARK.	
"FALSE TRADE-DESCRIPTION" defined	Act4,1889,s.2(*3*).
"FALSE TRADE-MARK" defined. *See* USING A FALSE TRADE-MARK.	
"FAMILY" defined	Bom.Act3,1874.
"FARAKHABAD RUPEE" defined	Act45,1860,s.230(*e*).
"FATHER" defined (*See also* PARENT)	Act10,1897,s.3(*18*). Ben.Act1,1899,s.3(*15*). Bom.Act1,1904,s.3(*18*). Bur.Act1,1898,s.2(*22*). E.B.&A.Act1,1909, s.5(*24*). Mad.Act1,1891,s.3(*30*). P.Act1,1898,s.2(*18*). U.P.Act1,1904,s.4(*15*).
"FAVOURABLE RATE OF RENT" defined	Act22,1886,s.1071.
"FELLOW" defined	Bom.Act3,1888,s.3(*h*).
"FELLOWS' ELECTION" defined	Bom.Act3,1888,s.3(*j*).
"FERMENTED LIQUOR" defined (*See also* LIQUOR: TARI)	Act12,1896,s.3(*h*).
"FERRY" defined (*See also* MUNICIPAL FERRY; PRIVATE FERRY; PUBLIC FERRY)	Act17,1878,s.3. Act9,1890,s.3(*2*). Act2,1901,s.2(*a*). Ben.Act1,1885,s.5. Bur.Act2,1898,s.3(*1*). Mad.Act2,1890,s.3.

[1] To be repealed by Act.12, 1911.

WORDS AND PHRASES—*contd.*

"FICTITIOUS STAMP" defined . . . . . Act45,1860,s.263(*3*).
"FIELD" defined . . . . . Reg.8,1887,s.2(*1*).
"FIELD-EMBANKMENT" defined . . . . . Reg.8,1887,s.2(*3*).
"FINANCIAL COMMISSIONER" defined . . . . . Act16,1887,s.75(*2*). Act17,1887,s.7(*4*). P.Act1,1898,s.2(*19*).
"FINANCIAL YEAR" defined . . . . . 52-3V.c.63,s.22. Act1,1883,s.2. Act20,1883,s.3(*5*). Act10,1897,s.3(*19*). Ben.Act3,1885,s.5. Ben.Act1,1899,s.3(*16*). Bom.Act1,1904,s.3(*19*). Bur.Act1,1898,s.2(*23*). E.B.&A.Act1,1909, s.5(*25*). Mad.Act1,1891,s.3(*10*). P.Act1,1898,s.2(*20*). U.P.Act1,1904,s.4(*16*).
"FIRM" defined . . . . . Act9,1872,s.239.
"FIRST CHARGE" defined . . . . . Act7,1873,s.82. Mad.Act5,1882,s.67.
"FIRST COUSIN" defined . . . . . Act10,1865,s.86.
"FIRST COUSIN ONCE REMOVED" defined Act10,1865,s.86
"FISH" defined . . . . . Act4,1897,s.3(*1*). Ben.Act2,1889,s.2. Bur.Act3,1905,s.3(*1*).
"FISH," to, defined . . . . . Bur.Act3,1905,s.3(*3*). Reg.3,1889,s.32(*1*)(*b*).
"FISHERY" defined . . . . . Bur.Act3,1905,s.3(*2*). Reg.3,1889,s.32(*1*)(*a*).
"FISHERY OFFICER" defined . . . . . Bur.Act3,1905,s.3(*5*)(am. Bur.Act6,1909,s.3).
"FISHING IMPLEMENT" defined . . . . . Bur.Act3,1905,s.3(*4*).
"FIXED ENGINE" defined . . . . . Act4,1897,s.3(*2*). Ben.Act2,1889,s.2. Reg.3,1889,s.32(*1*)(*c*).
"FIXED RATE TENANT" defined . . . . . U.P.Act2,1901,s.8.
"FLOOD-EMBANKMENT" defined . . . . . Ben.Act3,1876,s.3(*4*). Bom.Act7,1879,s.3(*4*).
"FLOWING WELL" defined . . . . . Reg.6,1910,s.2(*e*).
"FLUVIAL ACTION" defined . . . . . Act8,1885,s.30,*expln.*
"FOOD" defined . . . . . Ben.Act3,1884,s.251.
"FORCE" defined (*See also* COERCION; CRIMINAL FORCE) . Act45,1860,s.349.
"FOREIGN COUNTRY" defined . . . . . 44-5V.c.58,s.190(*24*). Act9,1908,s.2(*6*).
"FOREIGN COURT" defined . . . . . Act15,1908,s.2(*5*).
"FOREIGN-GOING SHIP" defined . . . . . 57-8V.c.60,s.742.
"FOREIGN INSTRUMENT" defined . . . . . Act26,1881,s.12.
"FOREIGN JUDGMENT" defined . . . . . Act5,1908,s.2(*6*).
"FOREIGN LIQUOR" defined . . . . . Ben.Act5,1909,s.4. E.B.&A. Act1,1910, s.4. Mad.Act1,1886,s.3(*12*). U.P.Act4,1910,s.4(*2*).

WORDS AND PHRASES—*contd.*

"FOREIGN PORT" defined	Act8,1878,s.3(*e*). Act2,1896,s.3(*8*).
"FOREIGN SHIP" defined (*See also* SHIP OF A FOREIGN STATE)	41-2V.c.73,s.7. Act15,1908,Sch.1,Pt.II, *expln.1.*
"FOREIGN STATE" defined	33-4V.c.90,s.30. 36-7V.c.59,s.2. 36-7V.c.88,s.2. Act4,1874,s.2. Act15,1903,s.2(*c*).
"FOREIGN STEAMER" defined	Act15,1908,Sch.1,Pt.II, *expln.1.*
"FOREIGN-GOING SHIP" defined	Act1,1859,s.118.
"FOREIGNER" defined	Act3,1864,s.1.
"FOREST" defined *See* PROTECTED FOREST; RESERVED FOREST; STATE FOREST; VILLAGE-FOREST.	
"FOREST-OFFENCE" defined	Act7,1878,s.2. Bur.Act4,1902,s.3(*4*). Mad.Act5,1882,s.2. P.Act2,1900,s.20. Reg.5,1890,s.2(*8*). Reg.7,1891,s.3(*5*). Reg.6,1893,s.2(*8*).
"FOREST-OFFICER" defined (*See also* CHIEF FOREST-OFFICER; DISTRICT FOREST-OFFICER; VILLAGE FOREST-OFFICERS)	Act7,1878,s.2. Bur.Act4,1902,s.3(*5*). Mad.Act5,1882,ss.2,34. P.Act2,1900,s.20. Reg.6,1874,s.2. Reg.5,1890,s.2(*7*). Reg.7,1891,s.3(*1*). Reg.6,1893,s.2(*2*).
"FOREST-PRODUCE" defined	Act7,1878,s.2. Ben.Act6,1908,s.3(*xi*). Bur.Act4,1902,s.3(*6*). Mad.Act5,1882,s.2. Reg.5,1890,s.2(*7*). Reg.7,1891,s.3(*1*). Reg.6,1893,s.2(*9*).
"FORGED DOCUMENT" defined	Act45,1860,s.470.
"FORGERY" defined	Act45,1860,ss.463,464, *expln.*
"FORMAL ADJUDICATION" defined	Bom.Act2,1863,s.16(*e*). Bom.Act7,1863,s.32(*e*).
"FORMAL WARNING" defined	Act9,1894,s.46(*1*), *expln.*
"FORT" defined	Act13,1881,s.2.
"FRAMED BUILDING" defined	Ben.Act1,1900,s.4.
"FRAUD" defined (*See also* CHEATING)	Act9,1872,s.17.
"FRAUDULENTLY" defined (*See also* DISHONESTLY)	Act45,1860,s.25. Act15,1887,s.3(*6*). Act5,1892,s.2(*6*) Reg.3,1881,s.2. Reg.2,1888,s.2(*4*). Reg.4,1890,s.3(*5*).
"FREE CONSENT" defined	Act9,1872,s.14.

WORDS AND PHRASES—*contd.*

"FREE OF REVENUE" defined. *See* REVENUE-FREE.

"FROM" defined . . . . . Act10,1 97,s.9(*1*). Ben.Act1,81899,s.11. Bom.Act1,1904,s.10. Bur.Act1,1898,s.8. E.B.&A.Act1,1909, ss.13,8. Mad.Act1,1891,s.9. P.Act1,1898,s.7. U.P.Act1,1904,s.9.

"FUGITIVE CRIMINAL" defined . . . . . 33-4V.c.52,s.26.

"FUGITIVE CRIMINAL OF A FOREIGN STATE" . . . . . 33-4V.c.52,s.26.

"FUNDS" defined (*See also* CHAUKIDARI FUND; LOCAL FUND; MUNICIPAL FUND; PROVIDENT FUND; RAILWAY PROVIDENT FUND) . Act11,1879,s.3. Mad.Act1,1888,s.2. Reg.4,1892,s.2.

"FURNACE" defined . . . . . Ben.Act3,1905,s.3(*1*).

"GAINING WRONGFULLY" defined . . . . . Act45,1860,s.23.

"GAME" defined (*See also* WILD BIRD) . . . . . Mad.Act2,1879,s.2.

"GAMING" defined (*See also* INSTRUMENT OF GAMING) . . Act21,1857,s.59. Ben.Act4,1886,s.3. Ben.Act2,1867,s.1. Bom.Act4,1887,s.3.

"GAMING AND PLAYING" defined . . . . . Bur.Act1,1899,s.3(*2*).

"GAMING-HOUSE" defined. *See* COMMON GAMING-HOUSE.

"GANJA" defined . . . . . Ben.Act5,1909,s.3. E.B.&A.Act1,1910, s.5. U.P.Act4,1910,s.5.

"GARDEN SARDAR" defined . . . . . Act6,1901,s.2(*1*)(*h*).

"GAZETTE" defined (*See also* BRITISH BURMA GAZETTE; OFFICIAL GAZETTE) . . . . . Bur.Act1,1898,s.2(*24*). E.B.&A.Act1,1909, s.5(*26*) P.Act1,1898,s.2(*21*). U.P.Act1,1904,s.4(*18*).

"GAZETTED OFFICER" defined . . . . . Act14,1887,s.2(*1*)(*b*).

"GENERAL CUSTOM OR RIGHT" defined . . . . . Act1,1872,s.48,*expln.*

"GENERAL MEETING" defined . . . . . Act11,1876,s.3.

"GENERAL OFFICER COMMANDING DIVISION" defined . . Act7,1903,s.2(*d*)(sub.Act 5,1909).

"GENERAL OFFICER OF THE COMMAND" defined . . . [1] Act5,1869,Pt.I,cl.(*e*)(*16*).

"GENERAL POLICE-DISTRICT" defined . . . . . Act24,1859,s.1. Act5,1861,s.1.

"GIFT" defined . . . . . Act4,1882,s.122.

"GIFT MADE IN CONTEMPLATION OF DEATH" defined . . Act10,1865,s.178.

"GIVING FALSE EVIDENCE" defined . . . . . Act45,1860,s.191.

"GOOD FAITH" defined . . . . . Act45,1860,s.52. Act9,1908,s.2(*7*). Act10,1897,s.3(*20*). Ben.Act1,1899,s.3(*17*). Bom.Act1,1904,s.3(*20*). Bur.Act1,1898,s.2(*25*). E.B.&A.Act1,1909, s.5(*21*). Mad.Act1,1891,s.3(*11*). P.Act1,1898,s.2(*22*). U.P.Act1,1904,s.4(*17*).

[1] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"GOODS" defined (*See also* COTTON GOODS)	Act9,1872,s.76. Act11,1876,s.3. Act4,1889,s.2(*4*). Act9,1890,s.3(*9*). Act2,1896,s.3(*5*). Bom.Act6,1879,s.3(*10*). Bom.Act6,1886,s.2(*6*). Bom.Act5,1888,s.2(*f*). Mad.Act3,1885,s.3(*4*). Mad.Act2,1905,s.5(*4*).
"GOODS PRODUCED" defined	Act2,1896,s.6,*expln.*
"GOVERNING BODY" defined	Act21,1860,s.16.
"GOVERNMENT" defined (*See also* CHIEF COMMISSIONER; GOVERNMENT OF INDIA; GOVERNOR; GOVERNOR GENERAL; LIEUTENANT-GOVERNOR; LOCAL GOVERNMENT)	Act37,1850,s.23. Act30,1852,s.12. Act45,1860,ss.19,263A(*4*). Act17,1864,s.1. Act2,1874,s.3. Act13,1885,s.31. Act18,1887,s.18(*2*). Act9,1890,s.137(*2*). Act10,1897,s.3(*21*). Ben.Act1,1899,s.3(*18*). Bur.Act1,1898,s.2(*26*). E.B.and.A. Act1,1909, s.5(*28*). Mad.Act5,1882,s.2. P.Act1,1898,s.2(*23*). Reg.1,1888,s.11(*2*).
"GOVERNMENT LAND" defined	Mad.Act4,1897,s.3(*ii*).
"GOVERNMENT OF INDIA" defined	Act45,1860,s.16. Act10,1897,s.3(*22*). Ben.Act1,1899,s.3(*19*). Bom.Act1,1904,s.3(*21*). Bur.Act1,1898,s.2(*27*). E.B.&A.Act1,1909, s.5(*29*). P.Act1,1898,s.2(*24*). U.P.Act1,1904,s.4(*19*).
"GOVERNMENT PLEADER" defined	Act5,1908,s.2(*7*).
"GOVERNMENT PRINTER" defined	7Edw.7,c.16,s.1(*3*).
"GOVERNMENT PROVIDENT FUND" defined	Act9,1897,s.2(*2*).
"GOVERNMENT ROAD" defined	Ben.Act1,1900,s.4.
"GOVERNMENT SECURITY" defined (*See also* PUBLIC SECURITIES)	Act13,1886,s.3(*1*).
"GOVERNMENT WARD" defined	Act24,1899,s.2(*a*). Bom.Act1,1905,s.2(*a*). Reg.1,1888,s.3(*2*).
"GOVERNOR" defined	33-4V.c.14,s.17. 33-4V.c.52,s.26. 33-4V.c.90,s.30. 36-7V.c.88,s.2. 41-2V.c.73,s.7. 44-5V.c.69,Pt.4,s.39. 44-5V.c.58,s.190(*27*). 47-8V.c.31,s.18. 52-3V.c.63,s.18(*5*).

WORDS AND PHRASES—*contd.*

"GOVERNOR GENERAL" defined . . . . . 44-5V.c.58,s.190(*26*).

"GOVERNOR GENERAL IN COUNCIL" defined. *See* GOVERNMENT OF INDIA.

"GRANDCHILDREN" defined . . . . . Act10,1865,s.86. Act21,1870,s.6.

"GRANT OF MONEY OR LAND-REVENUE" defined . . . Act23,1871,s.3.

"GRANTEE" defined . . . . . Act1,1869,s.2(sub. U.P. Act3,1910,s.2).

"GRATIFICATION" defined . . . . . Act45,1860,s.161,*expln.*

"GRIEVOUS HURT" defined (*See also* VOLUNTARILY CAUSING GRIEVOUS HURT) . . . Act45,1860,s.320.

"GROSS INCOME" defined . . . . . Act10,1892,s.2(*2*).

"GROWING CROPS" defined . . . . . U.P. Act1,1904,s.4(*20*).

"GUARANTEE" defined. *See* CONTINUING GUARANTEE; CONTRACT OF GUARANTEE.

"GUARANTEED COMPANY" defined . . . . . 42-3V.c.41,s.1.

"GUARDIAN" defined (*See also* LAWFUL GUARDIAN) . . Act13,1880,s.2(*3*). Act8,1890,s.4(*2*). Ben.Act5,1880,s.2. Bom.Act3,1874,s.4. Bom.Act1,1877,s.2(*2*). Bom.Act4,1879,s.2(*2*). Bom.Act1,1892,s.46(*6*). Mad.Act4,1884,s.3(*xviii*). Mad.Act5,1884,s.3(*xv*).

"GUARDIANSHIP" defined. *See* KIDNAPPING FROM LAWFUL GUARDIANSHIP.

"HABITABLE ROOM" defined . . . . . Ben.Act3,1899,s.3(*19*).

"HACK-STABLE" defined . . . . . Mad.Act4,1884,s.3(*xiv*).

"HACKNEY-CARRIAGE" defined . . . . . Act14,1879,s.2. Ben.Act2,1891,s.3(*2*). Mad.Act3,1879,s.3.

"HARBOUR" defined . . . . . 57-8V.c.60,s.742. Act45,1860,s.216B. Mad.Act2,1905,s.5(*5*).

"HEAD OF A FAMILY" defined . . . . . Bom.Act3,1874,s.4.

"HEAD OF THE VILLAGE" defined . . . . . Mad.Reg.4,1816,s.3.

"HEADMAN" defined . . . . . Bur.Act6,1907,s.4(*1*). Reg.1,1895,s.2(*4*). Reg.5,1896,s.2(*6*).

"HEALTH OFFICER" defined . . . . . Ben.Act4,1871,s.1 Mad.Act3,1904,s.3(*13*).

"HEIR" defined (*See also* SENIOR HEIR) . . . . Act27,1866,s.2. Act1,1869,s.2(sub.U.P. Act3,1910,s.2). Act24,1870,s.2. Act21,1881,s.3. Act22,1886,s.48(*2*).

"HEMP" defined . . . . . Act12,1896,s.3(*k*). Bom.Act5,1878,s.3(*9*).

WORDS AND PHRASES—*contd.*

"HER MAJESTY" defined (*See also* QUEEN)	7-8V.c.12,s.20. Act10,1897,s.3(*23*). Ben.Act1,1899,s.3(*20*). Bur.Act1,1898,s.2(*28*). P.Act1,1898,s.2(*25*). Mad.Act1,1891,s.3(*13*). Reg.3,1887,s.2.
"HER MAJESTY'S MILITARY FORCES" defined	57-8V.c.45,s.4.
"HER MAJESTY'S NAVAL FORCES" defined	57-8V.c.45,s.4.
"H. M.'S REGULAR FORCES" defined	44-5V.c.58,s.190(*5*). Act2,1901,s.2(*b*).
"HEREDITARY OFFICE" defined	Bom.Act3,1874,s.4.
"HEREDITARY TENURE" defined	Ben.Reg.37,1793,s.15.
"HERITABLE AND TRANSFERABLE PROPERTY" defined	Bom.Act5,1879,s.73.
"HIGH COURT" defined	48-9V.c.25,s.2. Act17,1864,s.1. Act10,1865,s.3. Act15,1865,s.2. Act21,1866,s.3. Act27,1866,s.2. Act28,1866,s.1. Act4,1869,s.3(*1*). Act5,1898,ss.4(*j*),266. [1]Act5,1888,ss.4(*10*),50(*4*). Act14,1891,s.3. Act7,1892,s.2(*3*). Act10,1897,s.3(*24*). Act1,1910,s.2. Bom.Act1,1904,s.3(*22*). E.B.&A.Act1,1910, s.5(*30*). U.P.Act1,1904,s.4(*21*). Reg 5,1893,ss.4(*1*),10. Reg.1,1894,s.10(*a*). Reg.8,1896,Sch.cl.1.
"HIGH COURT IN BRITISH INDIA" defined	8Edw.7,c.51,s.2(*3*).
"HIGHWAY" defined. *See* PUBLIC HIGHWAY.	
"HIGH-WATER MARK" defined	Act11,1853,s.8. Act15,1908,s.4(*4*). Ben.Act4,1887,s.2. Bom.Act5,1879,s.37, *expln.* Bom.Act6,1886,s.2(*2*). Bom.Act5,1888,s.2(*b*). Bur.Act4,1905,s.4(*3*). Mad.Act3,1905,s.2, *expln.*
"HILL-TRACT" defined	Reg.1,1895,s.2(*1*).
"HILL TRIBE" defined	Reg.1,1895,s.2(*2*).
"HIS MAJESTY" defined (*See also* KING)	Bom.Act1,1904,s.3(*23*). E.B.&A.Act1,1909, s.5(*31*). U.P.Act1,1904,s.4(*22*).
"HISTORY-TICKET" defined	Act9,1894,s.3(*b*).
"HOLD" defined	Act27,1866,s.2.

[1] To be repealed by Act 2, 1911.

WORDS AND PHRASES—*contd.*

"HOLD LAND" to, defined . . . . . Bom.Act5,1879,s.3(*10*).

"HOLDER" defined (*See also* DECREE-HOLDER; INFERIOR HOLDER; LANDHOLDER; SETTLEMENT-HOLDER; SHAREHOLDER; INFERIOR HOLDER; TENURE-HOLDER) . . Act26,1881,s.8.
Act9,1886,s.2(*1*).
Bom.Act2,1863,s.16(*f*).
Bom.Act7,1863,s.32(*f*).
Bom.Act3,1874,s.15(*4*).
Bom.Act5,1879,s.3(*11*).
Reg.1,1899,s.3(*6*).

"HOLDER OF LAND" defined (*See also* LANDHOLDER) . . Ben.Act6,1880,s.2.

"HOLDER OF AN ESTATE OR TENURE" defined. (*See also* TENUREHOLDER) Ben.Act9,1880,s.4.
Ben.Act8,1895,s.2(*c*).

"HOLDER IN DUE COURSE" defined . . . . . Act26,1881,s.9.

"HOLDING" defined (*See also* ADJOINING HOLDING) . . Act27,1866,s.2.
Act19,1883,s.3(*7*).
Act8,1885,s.3(*9*).
Act22,1886,s.37,*expln.1*.
Act16,1887,s.4(*9*).
Act17,1887,s.3(*3*).
Act11,1898,s.2(*3*).
Ben.Act5,1876,s.6(*4*).
Ben.Act9,1880,s.4.
Ben.Act3,1884,s.6(*3*).
Ben.Act6,1908,s.3(*xii*).
Bom.Act5,1879,ss.3(*12*), 47,64.
Mad.Act1,1908,s.3(*3*).
U.P.Act2,1901,s.4(*9*).
Reg.1,1899,s.3(*5*).

"HOLDING OF THE RAIYAT" defined . . . . Act10,1859,s.6.

"HOLIDAY" defined. *See* PUBLIC HOLIDAY.

"HOME-TRADE PASSENGER SHIP" defined . . . . 57-8V.c.60,s.742.

"HOME-TRADE SHIP" defined . . . . . 57-8V.c.60,s.742.
Act1,1859,s.118.

"HOMICIDE" defined. *See* CULPABLE HOMICIDE; CULPABLE HOMICIDE NOT AMOUNTING TO MURDER.

"HONORARY ASSISTANT COMMISSIONER" defined . . . Act13,1879,s.15.

"HONORARY MAGISTRATE" defined . . . . . Reg.5,1886,s.2(*3*).

"HONORARY MUNSIF" defined . . . . . U.P.Act2,1896,s.3(*1*).

"HORSE" defined (*See also* ANIMAL) . . . . . 44-5V.c.58,s.190(*40*).
Act16,1861,s.21.
Act2,1901,s.2(*c*).
Ben.Act2,1891,s.3(*3*).
Mad.Act3,1879,s.3.
Mad.Act3,1904,s.3(*14*).
Mad.Act4,1884,s.3(*vi*).
Mad.Act5,1884,s.3(*vi*).

"HORTICULTURAL LAND" defined . . . . Act8,1885,s.178,*expln.* (ins.Ben.Act1,1907,s.56).

"HOSPITAL PORT-DUES" defined . . . . . Act15,1908,s.49.

WORDS AND PHRASES—*contd.*

"HOUSE" defined (*See also* COMMON GAMING-HOUSE)	Act20,1856,s.6(*1*). Act2,1880,s.6. Act19,1884,s.2(*4*). Ben.Act5,1876,s.6(*5*). Ben.Act3,1884,s.4(*4*). Mad.Act5,1884,s.3(*vii*). U.P.Act1,1891,s.2(*d*). Reg.1,1883,s.2.
"HOUSE-BREAKING" defined	Act45,1860,s.445.
"HOUSE-BREAKING BY NIGHT" defined	Act45,1860,s.446.
"HOUSE-DRAIN" defined	Ben.Act3,1899,s.3(*20*). Mad.Act3,1904,s.3(*15*).
"HOUSE-GULLY" defined	Ben.Act3,1899,s.3(*21*). Bom.Act3,1888,s.3(*v*).
"HOUSE PRODUCTIVE OF RENT" defined	Act20,1891,s 62(*5*).
"HOUSE-SCAVENGING" defined	U.P.Act1,1900,s.95.
"HOUSE-TRESPASS" defined (*See also* LURKING HOUSE-TRESPASS; LURKING HOUSE-TRESPASS BY NIGHT)	Act45,1860,s.442.
"HURT" defined (*See also* GRIEVOUS HURT; VOLUNTARILY CAUSING HURT; VOLUNTARILY CAUSING GRIEVOUS HURT)	Act45,1860,s.319.
"HUSBAND" defined (*See also* NATIVE HUSBAND)	Act15,1865,s.2.
"HUT" defined	Ben.Act3,1899,s.3(*22*). Ben.Act1,1893,s.3(*1*). Ben.Act1,1900,s.4.
"HYPOTHECATED" defined	Act10,1859,s.112.
"ILLEGAL" defined	Act45,1860,s.43.
"ILLEGAL OMISSION" defined	Mad.Act1,1891,s.3(*36*).
"IMMOVEABLE PROPERTY" defined (*See also* REAL ESTATE; URBAN IMMOVEABLE PROPERTY; VILLAGE IMMOVEABLE PROPERTY)	Act10,1865,s.3. Act27,1866,s.2. Act28,1866,s.1. Act4,1882,s.3. Act10,1892,s.2(*1*). Act10,1897,s.3(*25*). Act16,1908,s.2. Ben.Act5,1876,s.6(*6*). Ben.Act9,1880,s.4. Ben.Act3,1884,s.6(*5*). Ben.Act1,1899,s.3(*21*). Bom.Act6,1879,s.3(*11*). Bom.Act1,1904,s.3(*24*). Bur.Act1,1898,s.2(*29*). E.B.&A.Act1,1909, s.5(*32*). Mad.Act1,1891,s.3(*14*). P.Act1,1898,s.2(*26*). P.Act2,1903,s.3(*a*). U.P.Act3,1892,s.2(*6*). U.P.Act1,1904,s.4(*23*). Reg.2,1897,s.3.
"IMPARTIBLE ESTATE" defined	Mad.Act2,1904,s.2(*2*).
"IMPERFECT PARTITION" defined	U.P.Act3,1901,s.106. Act18,1881,s.136(*3*). Reg.1,1886,s.96.

WORDS AND PHRASES—*contd.*

"IMPLIED AUTHORITY" defined . . . . . Act9,1872,s.187.
"IMPLIED PROMISE" defined . . . . . Act9,1872,s.9.
"IMPLIED RELEASE" defined . . . . . Act5,1882,s.38.*expln.II.*
"IMPORT" defined . . . Act1,1878,s.3. Act4,1884,s.4(*6*). Act12,1896,s.3(*e*). Act8,1899,s.2(*c*). Bom.Act5,1878,s.3(*10*). E.B.&A.Act1,1910, s.3(*12*). Mad.Act1,1886,s.3(*15*). U.P.Act4,1910,s.3(*17*).
"IMPORTATION" defined . . . Act11,1878,s.6,*expln.* Act10,1897,s.3(*26*). Ben.Act1,1899,s.3(*22*). Bom.Act1,1904,s.3(*25*). Bur.Act1,1898,s.2(*30*). E.B.&A.Act1,1909, s.5(*33*).
"IMPRISONMENT" defined (*See also* WRONGFUL CONFINEMENT) . . . . . Mad.Act5,1882,s.2. Mad.Act1,1886,s.3(*6*). Mad.Act3,1888,s.3. Mad.Act4,1889,s.3(*o*). Mad.Act1,1891,s.3(*15*). P.Act1,1898,s.2(*27*). U.P.Act1,1904,s.4(*24*).
"IMPROVED LAND" defined . . . . . Ben.Act6,1880,s.3.
"IMPROVEMENT" defined . . . . . Act19,1883,s.4(*2*). Act8,1885,s.76. Act22,1886,s.26. Act16,1887,s.4(*19*). Act11,1898,s.2(*4*). Mad.Act1,1900,s.3(*3*). Mad.Act1,1908,s.3(*4*). U.P.Act2,1901,s.4(*12*).
"INCESTUOUS ADULTERY" defined . . . . . Act4,1869,s.3(*6*).
"INCOME" defined (*See also* GROSS INCOME; SOURCE OF INCOME) . . . . . Act2,1886,s.3(*5*).
"INCREMENT TO ISLAND" defined . . . . . Ben.Act4,1868,s.2.
"INCUMBRANCE" defined (*See also* REGISTERED AND NOTIFIED INCUMBRANCE) . . . . Act8,1885,s.161(*a*). Act17,1887,s.3(*16*). Ben.Act3,1904,s.2(*1*)(*n*). Bom.Act6,1888,s.2(*1*)(*e*).
"INCUMBRANCER" defined . . . . . Bom.Act6,1888,s.2(*1*)(*e*).
"INDEMNITY" defined. *See* CONTRACT OF INDEMNITY.
"INDEPENDENT DEPUTY COLLECTOR" defined . . . . Act6,1853,s.5.
"INDEPENDENT TALUK" defined . . . . . Ben.Reg.19,1793,s.7.
"INDIA" defined (*See also* BRITISH INDIA) . . . . 44-5V.c.58,s.190(*21*). 47-8V.c.31,s.18. 52-3V.c.63,s.18(*5*). 53V.c.4,s.9(*1*). Act1,1859,s.118. Act20,1863,s4. [1]Act5,1869,Pt.I,cl.(*e*)(*15*). Act10,1897,s.3(*27*).

[1] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"INDIA" defined—*contd.* (*See also* BRITISH INDIA)	Bur.Act1,1898,s.2(*31*). E.B.andA.,Act1,1909, s.5(*34*). P.Act1,1898,s.2(*28*). U.P.Act4,1910,s.3(*15*).
"INDIA ACT" defined	P.Act1,1898,s.2(*29*).
"INDIA STOCK" defined	48-9V.c.25,s.2.
"INDIAN MARINE COURT" defined	Act14,1887,s.2(*1*)(*h*).
"INDIAN RAILWAY COMPANY" defined (*See also* RAILWAY COMPANY)	48-9V.c.25,s.2. 57-8V.c.12,s.2.
"INDIAN RESERVE FORCES" defined	Act2,1901,s.2(*d*).
"INDIAN WATERS" defined	47-8V.c.38,s.3.
"INDORSED" defined	Act16,1908,s.2.
"INDORSE" defined	Act26,1881,s.16.
"INDORSEMENT" defined	Act26,1881,s.15. Act16,1908,s.2.
"INDORSEMENT IN BLANK" defined	Act26,1881,s.16.
"INDORSEMENT IN FULL" defined	Act26,1881,s.16.
"INDORSER" defined	Act26,1881,s.15.
"INFERIOR HOLDER" defined	Bom.Act5,1879,s.3(*14*).
"INFERIOR PROPRIETOR" defined	U.P.Act3,1904,s.2(*2*).
"INFLUENCE" defined. *See* UNDUE INFLUENCE.	
"INFORMATION" defined	U.P.Act1,1907,s.177, *expln.*
"INHABITANT" defined	Act5,1861,s.15,*expln.* Act20,1891,s.3(*3*). Bur.Act3,1898,s.3(*4*). Bur.Act4,1899,s.24, *expln.* Mad.Act4,1884,s.3(*vii*). Mad.Act5,1884,s.3(*ix*). U.P.Act1,1900,s.3(*5*). Reg.5,1886,s.2(*1*). Reg.5,1910,s.2(*v*).
"INHABITED ROOM" defined	Ben.Act3,1899,s.3(*23*).
"INJUNCTION" defined. *See* TEMPORARY INJUNCTION.	
"INJURY" defined	Act45,1860,s.44.
"INLAND" defined	Act6,1898,s.2(*b*).
"INLAND INSTRUMENT" defined	Act26,1881,s.11.
"INLAND STEAM-VESSEL" defined	Act6,1884,s.5(*4*).
"INLAND WATER" defined	Act6,1884,s.5(*3*). Act9,1890,s.3(*3*).
"INOCULATION" defined	Act13,1880,s.2(*5*). Bur.Act6,1908,s.2. Mad.Act4,1884,s.3(*vii*). Mad.Act5,1884,s.3(*viii*).
"INQUIRY" defined	Act5,1898,ss.4(*k*),428.
"INSOLVENCY" defined	Act9,1872,s.96,*expln.*
"INSPECTOR" defined	Act15,1887,s.3(*7*). Act9,1890,s.3(*8*). Act6,1901,s.2(*1*)(*i*). Act5,1910,s.2. Bur.Act2,1910,s.3. Mad.Act4,1889,s.3(*h*).

WORDS AND PHRASES—*contd.*

"INSPECTOR GENERAL" defined	Act9,1884,s.3(*7*). Act8,1897,s.4(*b*). Bom.Act4,1890,s.3(*a*).
"INSPECTOR GENERAL OF REGISTRATION" defined	Ben.Act1,1876,s.2.
"INSTIGATE" defined	Act45,1860,s.107,*expln.* 7.
"INSTRUMENT" defined (*See also* ASSURANCE; BILL OF EXCHANGE; BILL OF LADING; CHEQUE; CONVEYANCE; CURRENCY NOTE; DEED OF SETTLEMENT; DOCUMENT; FOREIGN INSTRUMENT; INLAND INSTRUMENT; LEASE; MORTGAGE-DEED; NEGOTIABLE INSTURMENT; POWER-OF-ATTORNEY; PROMISSORY NOTE; WILL)	Act4,1882,s.3. Act2,1899,s.2(*14*).
"INSTRUMENT OF GAMING" defined	Act21,1857,s.59. Ben.Act4,1866,s.3. Ben.Act2,1867,s.1. Bom.Act4,1887,s.3. Bur.Act1,1899,s.3(*3*).
"INSTRUMENT OF PARTITON" defined	Act2,1899,s.2(*15*).
"INSTRUMENT OF TRUST" defined	Act2,1882,s.3.
"INSUFFICIENT SECURITY" defined	Act4,1882,s.66,*expln.* Act5,1882,s.10,*expln.*
"INSURANCE COMPANY" defined	Act6,1882,s.3.
"INTEREST" defined. *See* BENEFICIAL INTEREST; CONTINGENT INTEREST; PROTECTED INTEREST; VESTED INTEREST.	
"INTERESTED PERSON" defined. *See* PERSON INTERESTED.	
"INTERMEDIATE ADJUSTMENT OF ACCOUNT" defined	Reg.3,1872,s.6,*expln.*
"INTERRUPTION" defined	Act9,1908,s.26,*expln.* Act5,1882,s.15,*expln.II.*
"INTESTACY" defined	Act10,1865,s.25.
"INTIMIDATION" defined. *See* CRIMINAL INTIMIDATION.	
"INTOXICATING DRUG" defined	Act12,1896,s.3(*j*)(am. Act7,1906,s.2). Act15,1910,s.2(*d*). Ben.Act5.1909,s.2(*13*). Bom.Act5,1878,s.3(*9*). E.B.&A.Act1,1910, s.3(*13*). Mad.Act1,1886,s.33(*13*). U.P.Act4,1910,ss.3(*12*),5.
"INVENTION" defined (*See also* NEW INVENTION)	[1]Act5,1888,s.4(*1*).
"INVENTOR" defined (*See also* ACTUAL INVENTOR)	[1]Act5,1888,s.4(*2*).
"INVESTIGATION" defined	Act5,1898,s.4(*l*).
"IRRIGATION-WORK" defined	Mad.Act4,1886,s.2.
"IRRIGATOR" defined	P.Act3,1905,s.3(*viii*).
ISSUE" defined (*See also* CHILDREN)	Act10,1865,s.86.
"ISSUE," to, defined	Act1,1889,s.2.
"ISSUES" defined	Act5,1908,Sch.1,o.14,r.1.
"ISTIMRARDAR" defined	Reg.2,1877,s.20.

[1] To be repealed by Act 2, 1911.

WORDS AND PHRASES—*contd.*

"JAGIR LAND" defined . . . . . Act20,1896,s.2(*1*).

"JAGIRDA" defined (*See also* TALUKDAR, THAKUR OR JAGIRDAR) . . . . . Act16,1887,s.4(*15*). Act20,1896,s.2(*2*).

"JAMA" defined . . . . . Bom.Act1,1880,s.3(*4*). Bom.Act6,1888,s.2(*1*)(*c*).

"JOINT-STOCK COMPANY" defined (*See also* COMPANY) . . Act6,1882,s.226.

"JOINT UNDIVIDED ESTATE" defined . . . . . Ben.Act5,1897,s.3(*x*).

"JUDGE" defined (*See also* CHIEF JUSTICE; DISTRICT JUDGE; SUBORDINATE JUDGE) . . . . Act45,1860,s.19. Act18,1879,s.3. Act5,1908,s.2(*8*). Act18,1891,s.2(*6*). Reg.1,1896,s.3(*4*).

"JUDGMENT" defined (*See also* FOREIGN JUDGMENT) . . 53-4V.c.27,s.15. Act5,1908,s.2(*9*).

"JUDGMENT-DEBTOR" defined . . . . . Act5,1908,s.2(*10*).

"JUDICIAL PROCEEDING" defined . . . . . Act45,1860,s.193, *expln.* Act24,1870,s.16. Act4,1871,s.8. Act8,1873,s.69. Act6,1876,s.15. Act2,1886,s.37. Act5,1898,s.4(*m*). Act16,1908,s.84(*3*). Bom.Act3,1874,s.72(*1*). Bom.Act5,1879,s.196. Bom.Act2,1890,s.53(*3*). Mad.Act1,1891,s.3(*16*). Reg.4,1872,s.31.

"JUST CAUSE" defined . . . . . Act10,1865,s.234,*expln.* Act5,1881,s.50,*expln.*

"JUSTICE" defined . . . . . Bom.Act3,1888,s.3(*g*).

"JUSTICE OF THE PEACE" defined . . . . . 33-4V.c.52,s.26.

"JUSTICES' ELECTION" defined . . . . . Bom.Act3,1888,s.3(*j*).

"JUTE" defined . . . . . Ben.Act1,1893,s.3(*3*).

"JUVENILE OFFENDER" defined (*See also* YOUTHFUL OFFENDER) . . . . Act4,1909,s.5,*expln.*

"KACHIN HILL TRACT" defined . . . . . Bur.Act1,1898,s.2(*32*).

"KACHIN HILL TRIBE" defined . . . . . Bur.Act1,1898,s.2(*33*).

"KAZIN" defined . . . . . Bur.Act4,1909,s.3(*2*).

"KEEPER OF A LODGING-HOUSE" defined . . . . Ben.Act4,1871,s.1. Bur.Act3,1898,s.2(*5*).

"KEEPER OF A SARAI" defined . . . . . Act22,1867,s.2.

"KHAN OF PHULERA" defined . . . . . Reg.2,1900,s.2(*d*).

"KHOT" defined (*See also* MANAGING KHOT) . . . . Bom.Act1,1880,s.3(*2*).

"KHOTI-LAND" defined . . . . . Bom.Act1,1880,s.3(*10*).

"KHOTKI" defined . . . . . Bom.Act1,1880,s.3(*3*).

"KIDNAPPING FROM BRITISH INDIA" defined . . . Act45,1860,s.360.

"KIDNAPPING FROM LAWFUL GUARDIANSHIP" defined . . Act45,1860,s.361.

WORDS AND PHRASES—*contd.*

"KINDRED" defined (*See also* BROTHER; CHILD; CONSANGUINITY; COUSIN; COUSIN-GERMAN; DAUGHTER; DEPENDENT (OF EMIGRANT); DESCENDANT; FATHER; FIRST COUSIN; FIRST COUSIN ONCE REMOVED; GRANDCHILDREN; HEIR; ISSUE; MINOR CHILDREN; NEPHEW; NEXT-OF-KIN; NIECE; PARENT; SECOND COUSIN; SON) . . . Act10,1865,*s*.20.

"KING" defined . . . . . Bom.Act1,1904,*s*.3(*23*). E.B.&A.,Act1,1909, s.5(*31*). U.P.Act1,1904,s.4(*22*).

"KOHAT SALT" defined . . . . . Act12,1882,s.3.

"KORKAR" defined . . . . . Ben.Act6,1908,s.3(*xiii*).

"LABEL" defined . . . . . Act4,1889,s.5(*3*).

"LABOUR" defined . . . . . Act17,1908,s.2(*1*)(*v*). P.Act3,1905,s.3(*ix*).

"LABOUR-CONTRACT" defined . . . . . Act6,1901,s.2(*1*)(*j*). Mad.Act1,1903,s.3(*1*)(*c*).

"LABOUR-DISTRICT" defined . . . . . Act6,1901,s.2(*1*)(*k*).

"LABOURER" defined . . . . . Act,8,1873,s!63. Act6,1901,s.2(*1*)(*l*). Mad.Act8,1878,s.3. Mad.Act1,1903,s.3(*1*)(*d*).

"LAMBARDAR" defined . . . . . Act18,1881,s.4(*11*).

LAND" defined (*See also* BASTI LAND; CHAUKIDARI CHAKRAN LANDS; DHERA LAND; IMPROVED LAND; JAGIR-LAND; KHOTI-LAND; RECLAIMED LAND; SIR-LAND; STATE LAND; WASTE-LAND; UNCULTIVATED LAND; VILLAGE-LAND) . . . . . 52-3V.c.53,s.3. Act29,1839,s.1. Act30,1839,s.1. Act10,1876,s.3. Act5,1882,s.4. Act20,1883,s.3(*1*). Act22,1886,s.3(*3*). Act16,1887,s.4(*1*). Act1,1894,s.3(*a*). Act11,1898,s.2(*5*). Act24,1899,s.2(*b*). Act13,1900,s.2(*3*)(am. P.Act1,1907,s.2). Act7,1903,s.2(*a*). Act7,1904,s.2(*5*). Ben.Act6,1873,s.3. Ben.Act5,1876,s.6(*7*). Ben.Act9,1880,s.4. Ben.Act2,1882,s.3. Ben.Act3,1884,s.6(*5*). Ben.Act1,1887,s.2. Ben.Act4,1887,s.2. Ben.Act5,1897,s.3(*xiii*). Bom.Act2,1863,s.16(*6*). Bom.Act7,1863,s.32. Bom.Act5,1879,s.3(*4*). Bom.Act6,1879,s.3(*6*). Bom.Act6,1886,s.2(*4*). Bom.Act3,1888,s.3(*r*). Bom.Act5,1888,s 2(*d*).

WORDS AND PHRASES—*contd.*

"LAND" defined—*contd.* (*See also* BASTI LAND; CHAUKIDARI CHAKRAN LANDS; DHERA LAND; IMPROVED LAND; JAGIR-LAND; KHOTI-LAND; RECLAIMED LAND; SIR-LAND; STATE LAND; WASTE-LAND; UNCULTIVATED LAND; VILLAGE-LAND)	Bom.Act3,1901,s.3(*6*). Mad.Act2,1905,s.5(*6*). P.Act2,1900,s.2(*a*). P.Act1,1902,s.2(*a*). U.P.Act2,1903,s.2(*2*). U.P.Act3,1904,s.2(*3*). U.P.Act2,1906,s.2(*4*). Reg.3,1879,s.2(*1*). Reg.1,1899,s.3(*3*).
"LAND AT THE DISPOSAL OF GOVERNMENT" defined	Bur.Act4,1898,s.4(*2*). Bur.Act4,1902,s.3(*7*). Mad.Act5,1882,s.2. Reg.7,1891,s.3(*8*).
"LAND HELD FOR SERVICE" defined	Bom.Act2,1863,s.16(*d*). Bom.Act7,1863,s.32(*d*).
"LAND NEEDED FOR A PUBLIC PURPOSE" defined	Mad.Act5,1882,s.68.
"LAND IN ITS NATURAL CONDITION" defined	Act5,1882,s.7,*expln.1 to illn.*(*e*).
"LAND IRRIGATED FROM A CANAL" defined	Bom.Act7,1879,s.48.
"LAND OCCUPIED BY THE PROPRIETOR" defined	Act18,1881,s.4(*5*),*expln.* *1.*
"LANDHOLDER" defined (*See also* HOLDER OF LAND; RECORDED LANDHOLDER; ZAMINDAR)	Act20,1883,s.3(*3*). Act24,1899,s.2(*c*). Ben.Act6,1880,s.3. Bom.Act5,1879,s.3(*11*). Bom.Act1,1905,s.2(*a*). Mad.Act2,1864,s.1. Mad.Act5,1884,s.3(*x*). Mad.Act4,1886,s.2. Mad.Act1,1908,s.3(*5*). P.Act2,1903,s.3(*b*). U.P.Act2,1901,s.4(*5*). Reg.3,1879,s.2(*2*). Reg.1,1886,s.3(*g*). Reg.1,1888,s.3(*3*). Reg.1,1899,s.3(*6*).
"LANDHOLDER'S RIGHT" defined	Bur.Act4,1898,s.4(*10*). (am.Bur.Act1,1907,s.7).
"LANDLORD" defined	Act8,1885,s.3(*4*). Act22,1886,s.3(*11*). Act16,1887,s.4(*6*),(*7*). Act17,1887,s.3(*4*). Act11,1898,s.2(*6*). Ben.Act6,1908,s.3(*xiv*). Bom.Act5,1879,s.3(*15*). U.P.Act2,1906,s.2(*5*).
"LANDOWNER" defined	Act16,1887,s.4(*9*). Act17,1887,s.3(*2*). P.Act1,1902,s.2. Reg.6,1893,s.2(*4*).
"LAND-REVENUE" defined (*See also* ARREAR OF LAND-REVENUE; ARREAR OF REVENUE; GRANT OF MONEY OR LAND-REVENUE; REVENUE)	Act10,1876,s.3. Act2,1880,s.2. Act20,1883,s.3(*2*). Act16,1887,s.4(*10*). Act17,1887,s.3(*6*). Bom.Act2,1876,s.3(*2*). Reg.1,1886,s.3(*e*).

WORDS AND PHRASES—*contd.*

"LAND-SUIT" defined . . . . . Act18,1884,s.3(*2*). Act6,1900,s.2(*b*). Reg.1,1896,s.3(*1*). Reg.7,1901,s.2(*1*)(*b*).

"LANDING-PLACE" defined . . . . . Act2,1901,s.2(*e*). Bom.Act7,1882,s.4.

"LATRINE" defined . . . . . Mad.Act4,1884,s.3(*ix*). Mad.Act5,1884,s.3(*xi*).

"LAW" defined (*See also* COLONIAL LAW; LOCAL LAW; MATTER OF LAW; NATIVE LAW; SPECIAL LAW) . . . . . Act2,1882,s.4.

"LAWFUL GUARDIAN" defined . . . . . Act45,1860,s.361,*expln.*

"LAWFUL GUARDIANSHIP" defined. *See* KIDNAPPING FROM LAWFUL GUARDIANSHIP.

"LEADING QUESTION" defined . . . . . Act1,1872,s.141.

"LEASE" defined . . . . . Act16,1908,s.2. Act2,1899,s.2(*16*). Act17,1879,s.2,5th. Act6,1895,s.2. Act4,1882,s.105.

"LEASE FROM MONTH TO MONTH" defined . . . . . Act4,1882,s.106.

"LEASE FROM YEAR TO YEAR" defined . . . . . Act4,1882,s.106.

"LEGACY" defined. *See* DEMONSTRATIVE LEGACY; SPECIFIC LEGACY.

"LEGAL DISCHARGE" defined . . . . . Act5,1881,s.84.

"LEGAL PERSONAL REPRESENTATIVE" defined (*See also* PERSONAL REPRESENTATIVE) . . 57-8V.c.60,s.742.

"LEGAL PRACTITIONER" defined (*See also* ADVOCATE OF A HIGH COURT; BARRISTER; GOVERNMENT PLEADER; PLEADER; PUBLIC PROSECUTOR; RECOGNIZED AGENT) . . . . Act18,1879,s.3. Act18,1881,s.4(*2*). Act16,1887,s.4(*16*). Act 17,1887,s.3(*13*).

"LEGAL PROCEEDING" defined . . . . . Act18,1891,s.2(*4*).

"LEGAL REMUNERATION" defined . . . . . Act45,1860,s.161,*expln.*

"LEGAL REPRESENTATIVE" defined . . . . . Act5,1908,s.2(*11*).

"LEGAL REPRESENTATIVE OF DECEASED" defined . . . . Act5,1881,s.4.

"LEGALLY BOUND" defined . . . . . Act45,1860,s.4.

"LEGATEE" defined . . . . . Act1,1869,s.2(sub.U.P. Act3,1910,s.2).

"LEGISLATIVE COUNCIL" defined . . . . . 9Edw.7,c.4,s.1(*1*).

"LEGISLATURE" defined (*See also* LOCAL LEGISLATURE; REPRESENTATIVE LEGISLATURE) . . 33-4V.c.52,s.26. 44-5V.c.69,s.39. 47-8V.c.31,s.18. 52-3V.c.63,s.18(?).

"LEPER" defined (*See also* PAUPER LEPER) . . . . Act3,1898,s.2(*1*).

"LESSEE" defined . . . . . Act4,1882,s.105. Act11,1886,s.3(*11*). Bur.Act2,1898,s.3(*4*).

"LESSOR" defined . . . . . Act4,1882,s.105.

WORDS AND PHRASES—*contd.*

"LETTERS OF ADMINISTRATION" defined . . . . . 55V.c.6,s.6. Act2,1874,s.3.
"LIABILITY" defined . . . . . Act6,1882,s.61,*expln.1.* Act3,1909,s.46,*expln.*
"LICENSE" defined (*See also* ACCESSORY LICENSE; REVOKED LICENSE) . . . . 44-5V.c.58,s.174(*2*). Act11,1878,s.4. Act5,1882,s.52. Bur.Act4,1898,s.4(*7*).
"LICENSED" defined . . . . . Act11,1878,s.4.
"LICENSED PLUMBER" defined . . . . . Bom.Act3,1888,s.3(*k*).
"LICENSED SURVEYOR" defined . . . . . Bom.Act3,1888,s.3(*k*).
"LICENSEE" defined . . . . . Mad.Act4,1889,s.3(*m*).
"LICENSEE OF A SALT WORK" defined . . . . . Bom.Act2,1890,s.3(*l*).
"LIEN" defined. *See* SELLER'S LIEN.
"LIEUTENANT-GOVERNOR" defined (*See also* LOCAL GOVERNMENT) . . . . Act1,1867,s.1. Act3,1867,s.1. Ben.Act5,1876,s.6(*9*). Ben.Act7,1876,s.3(*4*).
"LIFE" defined . . . . . Act45,1860,s.45.
"LIFE-BOAT SERVICE" defined . . . . . 57-8V.c.60,s.742.
"LIFE-TENURE" defined . . . . . Ben.Reg.37,1793,s.15.
"LIFT" defined . . . . . Reg.8,1887,s.2(*7*).
"LIGHTHOUSE" defined . . . . . 57-8V.c.60,s.742.
"LINE OF NAVIGATION" defined . . . . . Ben.Act5,1864,s.1. Mad.Act2,1890,s.3.
"LINEAL CONSANGUINITY" defined . . . . . Act10,1865,s.21.
"LIQUIDATOR" defined. *See* OFFICIAL LIQUIDATOR.
"LIQUOR" defined (*See also* FERMENTED LIQUOR; SPIRIT; SPIRITUOUS LIQUOR; TARI) . . . . Ben.Act5,1909,s.2(*14*). Bom.Act5,1878,s.3(*7*). E.B.&A.Act1,1910,s.3(*14*). Mad.Act3,1864,s.2. Mad.Act1,1886,s.3(*9*). U.P.Act4,1910,s.3(*11*).
"LITERARY AND ARTISTIC WORK" defined . . . . . 49-50V.c.33,s.11.
"LOAN" defined . . . . . Act9,1872,s.241.
"LOCAL AGENT" defined . . . . . Act6,1901,s.2(*1*)(*m*).
"LOCAL AREA" defined . . . . . Ben.Act8,1895,s.2(*d*).
"LOCAL AUTHORITY" defined . . . . . Act1,1871,s.3. Act11,1879,s.3. Act7,1880,s.54. Act20,1883,s.54(*4*). Act13,1885,s.3(*7*). Act18,1885,s.16(*a*). Act2,1886,s.3(*1*). Act11,1886,s.3(*1*). Act9,1890,s.135(*5*). Act10,1897,s.3(*28*). Act15,1910,s.5(*3*). Ben.Act3,1883,s.2. Ben.Act3,1885,s.5. Ben.Act1,1895,s.4(*3*). Ben.Act1,1899,s.3(*25*). Bom.Act1,1904,s.3(*26*).

WORDS AND PHRASES—*contd.*

"LOCAL AUTHORITY" defined—*contd.*	Bur.Act1,1898,s.2(*34*). E.B.&A.Act1,1909,s.5 (*35*). Mad.Act1,1888,s.2. Mad.Act1,1891,s.3(*17*). P.Act1,1898,s.2(*30*). U.P.Act1,1904,s.4(*25*).
"LOCAL BOARD" defined	Mad.Act5,1884,s.3(*xii*).
"LOCAL CORPS" defined	Act2,1901,s.2(*f*).
"LOCAL DIVISION" defined	Ben.Act7,1876,s.3(*5*).
"LOCAL FUND" defined	Act1,1871,s.3 Mad.Act5,1884,s.3(*xiii*).
"LOCAL GOVERNMENT" defined (*See also* CHIEF COMMISSIONER; LIEUTENANT-GOVERNOR)	Act10,1841,s.27. Act1,1859,s.118. Act3,1864,s.1. Act15,1864,s.4. Act10,1865,s.3. Act15,1865,s.2. Act11,1867,s.1. Act22,1867,s.2. Act25,1867,s.1. Act10,1897,s.3(*29*). Ben.Act1,1899,s.3(*24*). Bom.Act1,1904,s.3(*27*). Bur.Act1,1898,s.2(*35*), E.B.&A.Act1,1909, s.5(*36*). Mad.Act1,1891,s.3(*12*). P.Act1,1898,s.2(*31*). U.P.Act1,1904,s.4(*26*).
"LOCAL LAW" defined	49-50V.c.48,s.27. Act45,1860,s.42.
"LOCAL LEGISLATURE" defined (*See also* LEGISLATURE)	55-6V.c.14,s.6.
"LODGER" defined	Ben.Act4,1871,s.1(am. Ben.Act3,1908,s.3). U.P.Act1,1892,s.2(*4*).
"LODGING-HOUSE" defined	Ben.Act4,1871,s.1. Bur.Act.3,1898,s.2(*5*). U.P.Act1,1892,s.2(*3*).
"LONG VOYAGE" defined	Act10,1887,s.5(*3*).
"LOSING WRONGFULLY" defined	Act45,1860,s.23
"LOW-WATER MARK" defined	Ben.Act4,1887,s.2. Bom.Act6,1886,s.2(*3*). Bom.Act5,1888,s.2(*c*). Bur.Act4,1905,s.4(*5*).
"LOWER BURMA" defined	Act13,1898,s.3(*d*). Act6,1900,s.2(*c*).
"LOWER PASSENGER DECK" defined	57-8V.c.60,s.268(*6*).
"LUNATIC" defined (*See also* CRIMINAL LUNATIC; PERSON OF UNSOUND MIND)	Act34,1858,s.32. Act35,1858,s.23. Act36,1858,s.18. Act27,1866,s.2.
"LURKING HOUSE-TRESPASS" defined	Act45,1860,s.443.
"LURKING HOUSE-TRESPASS BY NIGHT" defined	Act45,1860,s.444.
"LYMPH" defined. *See* ANIMAL-LYMPH.	

WORDS AND PHRASES—*contd.*

"MADRAS" defined. *See* CITY OF MADRAS; PRESIDENCY OF FORT ST. GEORGE; PRESIDENCY OF MADRAS; PRESIDENCY-TOWN; TOWN OF MADRAS.

"MADRAS ACT" defined . . . . . Act10,1897,s.3(*30*).

"MAGISTRATE" defined (*See also* HONORARY MAGISTRATE) . 44-5V.c.69,s.39.
Act30,1852,s.12.
Act20,1856,s.61.
Act5,1857,s.27.
Act11,1857,s.11.
Act25,1857,s.11.
Act36,1858,s.18.
Act24,1859,s.1.
Act5,1861,s.1.
Act16,1861,s.21.
Act1,1867,s.1.
Act25,1867,s.1.
Act20,1869,s.4.
Act1,1872,s.26,*expln.*
Act9,1874,s.3.
Act19,1876,s.2.
Act1,1878,s.3.
Act2,1886,s.3(*6*).
Act10,1887,s.5(*7*).
Act14,1895,s.5(*5*).
Act12,1896,s.3(*d*).
Act10,1897,s.3(*31*).
Act6,1901,s.2(*1*)(*n*).
Act15,1908,s.2(*1*).
Act17,1908,s.2(*1*)(*vi*).
Ben.Act4,1866,s.3.
Ben.Act3,1867,s.1.
Ben.Act4,1871,s.1.
Ben.Act9,1871,s.1.
Ben.Act5,1876,s.6(*11*).
Ben.Act3,1884,s.6(*8*).
Ben.Act1,1893,s.3(*4*).
Ben.Act 1,1899,s.3(*25*).
Bom.Act5,1878,s.3(*5*).
Bom.Act1,1904,s.3(*28*).
Bur.Act1,1898,s.2(*36*).
Bur.Act4,1902,s.3(*8*).
E.B.&A.Act1,1909, s.5(*37*).
Mad.Act3,1864,s.2.
Mad.Act2,1866,s.2.
Mad.Act7,1871,s.1.
Mad.Act3,1879,s.3.
Mad.Act5,1882,s.2.
Mad.Act4,1884,s.3(*x*).
Mad.Act5,1884 s.3(*xiv*).
Mad.Act2,1888,s.2.
Mad.Act4,1889,s.3(*n*).
Mad.Act1,1891,s.3(*18*).
Mad.Act1,1903,s.3(*1*)(*e*).
P.Act1,1898,s.2(*32*).
U.P.Act1,1892,s.2(*5*).

WORDS AND PHRASES—*contd.*

"MAGISTRATE" defined—*contd.* (*See also* HONORARY MAGISTRATE) . . . U.P.Act1,1904,s.4(*27*). U.P.Act4,1910,s.3(*5*). Reg.5,1890,s.2(*10*). Reg.7,1891,s.3(*9*). Reg.1,1894,s.10(*f*).

"MAGISTRATE OF THE DISTRICT" defined (*See also* DISTRICT MAGISTRATE) . . . Act5,1861,s.1. Act3,1864,s.1. Act22,1867,s.2. Ben.Act6,1870,s.1. Ben.Act5,1876,s.6(*10*). Ben.Act3,1884,s.6(*7*). Ben.Act3,1885,s.5.

"MAGISTRATE OF POLICE" defined (*See also* POLICE MAGISTRATE) . . . Mad.Act1,1867,s.2(*1*).

"MAHAL" defined . . . Act18,1881,s.4(*7*). Bom.Act5,1879,s.1. U.P.Act3,1899,s.3(*2*). U.P.Act3,1901,s.4(*4*).

"MAIL BAG" defined . . . 54-5V.c.31,s.9. Act6,1898,s.2(*c*).

"MAIL SHIP" defined . . . Act6,1898,s.2(*d*).

"MAINTAIN" defined . . . Act7,1903,s.2(*h*). Act7,1904,s.2(*4*).

"MAJSTRY" defined . . . Mad.Act1,1903,s.3(*1*)(*f*).

"MAJHAHAS" defined . . . Ben.Act2,1869,s.1.

"MAJOR UNION" defined . . . Mad.Act5,1884,s.3(*iv*).

"MAJORITY" defined. *See* MINOR; MINORITY.

"MAKING A FALSE DOCUMENT" defined . . . Act45,1860,s.464.

"MALGUZAR" defined . . . Act18,1881,s.4(*9*). Reg.2,1877,s.2(*d*).

"MALIK-MAKBUZA" defined . . . Act18,1881,s.4(*10*). Act11,1898,s.2(*1*).

"MAMLATDAR" defined . . . Bom.Act2,1906,s.3(*a*).

"MAN" defined . . . Act45,1860,s.10.

"MANAGER" defined . . . 6Edw.7,c.58,s.13. Ben.Act7,1876,s.3(*6*). Cam.Ben.Act2,1906,s.2. E.B.&A.Act1,1907,s.2.

"MANAGING KHOT" defined . . . Bom.Act1,1880,s.26.

"MANUFACTURE" defined . . . [1]Act5,1888,s.4(*6*). Ben.Act7,1864,s.3. Ben.Act5,1909,s.2(*15*). E.B.andA.Act1,1910,s.3(*15*). Bom.Act5,1878,s.3(*11*). Bom.Act2,1890,s.3(*g*). Mad.Act1,1886,s.3(*18*). Mad.Act4,1889,s.3(*f*). U.P.Act4,1910,s.3(*20*).

"MANUFACTURE OF SALT" defined . . . Act12,1882,s.3.

"MAP" defined. *See* ORDNANCE MAP. . . . Reg.3,1889,s.33(*1*).

"MARINE COURT" defined. *See* INDIAN MARINE COURT.

[1] To be repealed by Act 2,1911.

WORDS AND PHRASES—*contd.*

"MARKET" defined (*See also* BAZAR; MUNICIPAL MARKET; PRIVATE MARKET; PUBLIC MARKET) . . . Ben.Act3,1899,s.3(*24*). Mad.Act4,1884,s.3(*xi*). Mad.Act5,1884,s.3(*15*). Mad.Act3,1904,s.3(*16*).
"MARKET VALUE" defined . . . Bom.Act4,1898,s.71(*1*).
"MARKETABLE SECURITY" defined . . . Act2,1899,s.2(*16A*).
"MARRIAGE" defined . . . Act15,1865,s.2. Mad.Act4,1896,s.2.
"MARRIAGE WITH ANOTHER WOMAN" defined (*See also* BIGAMY WITH ADULTERY) . . . Act4,1869,s.3.
"MASONRY BUILDING" defined . . . Ben.Act3,1899,s.3(*25*). Ben.Act1,1900,s.4.
"MASTER" defined . . . 33-4V.c.90,s.30. 48-9V.c.49,s.12. 54-5V.c.31,s.9. 57-8V.c.60,s.742. Act19,1850,s.25. Act1,1859,s.118. Act1,1867,s.1. Act9,1874,s.3. Act8,1878,s.3(*h*). Act9,1879,s.3. Act7,1880,s.2. Act5,1883,s.3. Act4,1884,s.4(*5*). Act6,1884,s.5(*6*). Act7,1884,s.3(*3*). Act2,1896,s.3(*8*). Act10,1897,s.3(*32*). Act15,1908,s.2(*2*). Act17,1908,s.2(*1*)(*vii*). Ben.Act3,1867,s.1. Ben.Act4,1887,s.2. Ben.Act1,1899,s.3(*26*). Bom.Act6,1879,s.3(*4*). Bom.Act6,1886,s.2(*5*). Bom.Act5,1888,s.2(*e*). Bom.Act1,1904,s.3(*29*). Bur.Act1,1898,s.2(*37*). Bur.Act4,1905,s.4(*6*). E.B.&A.Act1,1909. s.5(*38*). Mad.Act2,1905,s.5(*7*). P.Act1,1898,s.2(*33*). Reg.3,1876,s.3.
"MATA" defined . . . Bom.Act6,1887,s.2(*2*).
"MATADAR" defined (*See also* REPRESENTATIVE MATADAR) . Bom.Act6,1887,s.2(*4*).
"MATADAR FAMILY" defined . . . Bom.Act6,1887,s.2(*1*).
"MATERIAL PROPOSITIONS" defined . . . Act5,1908,Sch.1,O.14,r.1 (*2*).
"MATERIALLY ALTER" (with reference to a building) defined . Ben.Act1,1900,s.4.
"MATURITY" defined . . . Act26,1881,s.22.
"MAUND" defined . . . Act9,1890,s.3(*17*). Ben.Act7,1864,s.3. Bom.Act2,1890,s.3(*n*). Mad.Act4,1889,s.3(*p*).

WORDS AND PHRASES—*contd.*

"MAUZA" defined	Ben.Act5,1875,s.2. Ben.Act7,1876,s.3(*7*)(sub. Ben.Act2,1906,s.2;E.B. &A.Act1,1907,s.2).
"MAY PRESUME" defined	Act1,1872,s.4.
"MEDICAL CORPORATION" defined	49-50V.c.48,s.27.
"MEDICAL DIPLOMA" defined	49-50V.c.48,s.27.
"MEDICAL PRACTITIONER" defined (*See also* REGISTERED MEDICAL PRACTITIONER)	Ben.Act5,1880,s.2. Bom.Act1,1877,s.2(*4*). Bom.Act4,1879,s.2(*4*). Bom.Act1,1892,s.4(*d*).
"MEDICAL SUBORDINATE" defined	[1]Act5,1869,Pt.I,cl.(*e*)(*6*). Act9,1894,s.3(*8*).
"MEETING" defined. *See* GENERAL MEETING; SPECIAL MEETING.	
"MEMBER" defined	Act21,1860,s.15. Act6,1882,s.45. Act10,1904,s.2.
"MEMBER OF A FAMILY" defined	6Edw.7,c.58,s.13.
"MEMBER OF A MATADAR FAMILY" defined	Bom.Act6,1887,s.2(*3*).
"MEMBER OF AN UNLAWFUL ASSEMBLY" defined	Act45,1860,s.142.
"MEMORANDUM OF APPEAL" defined	Reg.1,1877,s.17.
"MERCANTILE DOCUMENT OF TITLE TO GOODS" defined	Act4,1882,s.137.
"MESNE PROFITS" defined	Act5,1908,s.2(*12*).
"MESSAGE" defined	Act13,1885,s.3(*3*).
"MHOWRA FLOWER" defined	Bom.Act5,1878,s.3(*13*).
"MILITARY COURT" defined. *See* COURT-MARTIAL.	
"MILITARY CUSTODY" defined	[1]Act5,1869,Pt.I,cl.*e*(*18*).
"MILITARY DECORATION" defined	44-5V.c.58,s.190(*18*).
"MILITARY FORCES" defined. *See* HER MAJESTY'S MILITARY FORCES.	
"MILITARY OFFICER" defined	Act2,1902,s.2(*1*)(*e*)
"MILITARY POLICE-OFFICER" defined	Act15,1887,s.3 Act5,1892,s.2(*1*). Act4,1904,s.2(*a*). Reg.2,1888,s.2(*1*). Reg.4,1890,s.3(*1*).
"MILITARY REWARD" defined	44-5V.c.58,s.190(*19*). [1]Act5,1869,Pt.I,cl.(*e*)(*12*).
"MILITARY SERVICE" defined	33-4V.c.90,s.30.
"MILITARY STORES" defined	Act11,1878,s.4.
"MILL" defined	Act2,1896,s.3(*6*). P.Act3,1905,s.3. Reg.4,1898,s.3(*4*).
"MILL GEARING" defined	Act15,1881,s.2.
"MINE" defined	Act8,1901,s.3(*d*).
"MINOR" defined (*See also* GOVERNMENT WARD)	Act10,1865,s.3. Act1,1869,s.2. Act15,1872,s.3. Act5,1873,s.3. Act5,1881,s.3. Act8,1890,s.4(*1*).

[1] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"MINOR" defined—*contd.* (*See also* GOVERNMENT WARD)	Act16,1908,s.2. Ben.Act4,1870,s.1. Ben.Act9,1879,s.3. Bom.Act1,1905,s.2(*d*). Mad.Act5,1898,s.2(*1*). Mad.Act1,1902,s.4. P.Act2,1903,s.3(*c*). U.P.Act3,1899,s.3(*6*). U.P.Act3,1901,s.4(*5*).
"MINOR CHILDREN" defined	Act4,1869,s.3(*5*).
"MINOR UNION" defined	Mad.Act5,1884,s.3(*iv*).
"MINORITY" defined	Act10,1865,s.3. Act1,1869,s.2. Act9,1875,s.3. Act5,1881,s.3.
"MINT" defined	Act3,1906,s.2(*b*).
"MISAPPROPRIATION OF PROPERTY" defined	Act45,1860,s.403,*expln.1*.
"MISCHIEF" defined	Act45,1860,s.425.
"MISREPRESENTATION" defined	Act9,1872,s.18.
"MISTAKE AS TO MATTER OF FACT" defined	Act9,1872,s.20.
"MODEL" defined	52-3V.c.52,s.8. Act15,1889,s.2(*4*).
"MONEY" defined (*See also* COIN; GRANT OF MONEY OR LAND-REVENUE; MORTGAGE-MONEY; TRUST-MONEY)	Act17,1879,s.2(*4*).
"MONTH" defined	52-3V.c.63,s.3. Act24,1859,s.1. Act45,1860,s.49. Act5,1861,s.1. Act10,1865,s.3. Act21,1866,s.3. Act10,1897,s.3(*33*). Ben.Act2,1866,s.51. Ben.Act4,1866,s.3. Ben.Act1,1899,s.3(*27*). Bom.Act1,1904,s.3(*30*). Bur.Act1,1898,s.2(*38*). E.B.&A.Act1,1909, s.5(*39*). Mad.Act1,1891,s.3(*38*). P.Act1,1898,s.2(*34*). U.P.Act1,1904,s.4(*28*). Reg.3,1876,s.3. Reg.8,1874,s.1.
"MONUMENT." *See* ANCIENT MONUMENT.	
"MORTGAGE" defined (*See also* ENGLISH MORTGAGE; SIMPLE MORTGAGE; USUFRUCTUARY MORTGAGE)	Act27,1866,s. Act28,1866,s. Act4,1882,s.58(*a*).
"MORTGAGE BY CONDITIONAL SALE" defined	Act4,1882,s.58(*c*).
"MORTGAGE-DEED" defined	Act4,1882,s.58(*a*). Act2,1899,s.2(*17*).
"MORTGAGE MONEY" defined	Act4,1882,s.58(*a*)
"MORTGAGEE" defined (*See also* SIMPLE MORTGAGEE; USUFRUCTUARY MORTGAGEE)	Act28,1866,s.1. Act4,1882,s.58.

WORDS AND PHRASES—*contd.*

"MORTGAGEE BY CONDITIONAL SALE" defined . . . Act4,1882,s.58(*c*).

"MORTGAGOR" defined . . . . . Act28,1866,s.1. Act4,1882,s.58(*a*).

"MOTHER" defined. *See* PARENT.

"MOTIVE OR REWARD FOR DOING" defined . . . . Act45,1860,s.161,*expln.*

"MOTOR CAR" defined . . . . . Ben.Act3,1903,s.2.

"MOTOR VEHICLE" defined . . . . . Bom.Act2,1904,s.1(*3*). Bur.Act2,1906,s.2. Mad.Act1,1907,s.2(*1*). P.Act2,1907,s.1(*3*).

"MOVEABLE PROPERTY" defined (*See also* PERSONAL ESTATE) . . . Act45,1860,s.22. Act10,1865,s.3. Act6,1882,s.44. Act15,1882,s.28. Act10,1897,s.3(*34*). Act5,1908,s.2(*13*). Act16,1908,s.2. Ben.Act5,1876,s.6(*8*). Ben.Act3,1884,s.6(*6*). Ben.Act1,1899,s.3(*28*). Ben.Act6,1908,s.3(*xii*). Bom.Act1,1904,s.3(*31*). Bur.Act1,1898,s.2(*39*). Mad.Act1,1891,s.3(*19*). P.Act1,1898,s.2(*35*). U.P.Act3,1892,s.2(*7*). U.P.Act1,1904,s.4(*29*). Reg.3,1889,s.37(*2*). Reg.1,1899,s.3(*11*).

"MOVER" defined. *See* PRIME-MOVER.

"MUHAMMADAN REGISTER" defined . . . . . Ben.Act1,1876,s.2.

"MUHAMMADAN BURIAL GROUND" defined. *See* PUBLIC MUHAMMADAN BURIAL GROUND.

"MUKADDAM" defined . . . . . Act18,1881,s.4(*13*). Act1,1883,s.2.

"MUNDARI KHUNT KATTIDAR" defined . . . . . Ben.Act6,1908,s.8.

"MUNICIPAL AUTHORITY" defined . . . . . Act20,1887,s.2(*1*). Act4,1899,s.2. U.P.Act1,1892,s.2(*2*). U.P.Act3,1894,s.3(*1*).

"MUNICIPAL BOARD" defined . . . . . U.P.Act1,1891,s.2(*9*).

"MUNICIPAL COMMISSIONER" defined . . . . . Act13,1880,s.2(*1*). Act20,1891,s.14. Bom.Act1,1874,s.2. Reg.5,1886,s.160.

"MUNICIPAL COMMITTEE" defined (*See also* COMMITTEE) . . Act11,1881,s.2. Act20,1891,s.212.

"MUNICIPAL COUNCIL" defined . . . . . Mad.Act4,1884,s.3(*xv*).

"MUNICIPAL DISTRICT" defined . . . . . Ben.Act3,1899,s.3(*26*). Bom.Act3,1901,s.3(*5*).

"MUNICIPAL DRAIN" defined . . . . . U.P.Act3,1894,s.3(*8*).

"MUNICIPAL DUTY" defined . . . . . Act4,1857,s.2.

WORDS AND PHRASES—*contd.*

"MUNICIPAL ELECTION ROLL" defined . . . . . Bom.Act3,1888,s.21(*2*).
"MUNICIPAL FERRY" defined . . . . . Ben.Act3,1884,s.148.
"MUNICIPAL FUND" defined . . . . . Mad.Act3,1904,s.3(*17*).
"MUNICIPAL MARKET" defined . . . . . Ben.Act3,1884,s.336. Ben.Act3,1899,s.3(*27*). Bom.Act3,1888,s.398.
"MUNICIPAL OFFICE" defined . . . . . Mad.Act3,1904,s.3(*18*).
"MUNICIPAL SLAUGHTER-HOUSE" defined . . . . . Ben.Act3,1899,s.3(*28*). Bom.Act3,1888,s.398.
"MUNICIPAL TOWN" defined . . . . . Ben.Act3,1867,s.1.
"MUNICIPALITY" defined . . . . . Act20,1891,ss.3(*1*),212. Act16,1903,s.2(*a*). Ben.Act5,1876,s.6(*12*). Ben.Act3,1883,s.2. Ben.Act3,1884,s.6(*9*). Bur.Act3,1898,s.2(*7*). Mad.Act4,1884,s.3(*xiv*). U.P.Act1,1891,s.2(*a*). U.P.Act1,1892,s.2(*1*). U.P.Act3,1894,s.3(*2*). U.P.Act1,1900,s.3(*1*). Reg.5,1886,s.2(*2*). Reg.2,1907,s.2(*a*).
"MUNSIF" defined (*See also* DISTRICT MUNSIF; HONORARY MUNSIF; VILLAGE-MUNSIF) . . . . . U.P.Act3,1892,s.2(*4*). U.P.Act2,1896,s.3(*3*)
"MURDER" defined (*See also* CULPABLE HOMICIDE; CULPABLE HOMICIDE NOT AMOUNTING TO MURDER) . . . . . Act45,1860,s.300.
"NAME" defined . . . . . 57-8V.c.60,s.742. Act4,1889,s.2(*5*).
"NATIVE" defined . . . . . Reg.12,1887,s.2(*3*).
"NATIVE OF INDIA" defined . . . . . 33-V.c.3,s.6. 44-5V.c.58,s.190(*22*).
"NATIVE CHRISTIAN" defined . . . . . Act15,1872,s.3. Act2,1892,s.2. Act7,1901,s.2.
"NATIVE HUSBAND" defined . . . . . Act21,1866,s.3.
"NATIVE LAW" defined . . . . . Act21,1866,s.3.
"NATIVE OFFICER" defined . . . . . [1]Act5,1869,Pt.I,cl.(*e*)(*4*).
"NATIVE STATE" defined . . . . . Act15,1872,s.3. Act9,1876,s.2.
"NATIVE WIFE" defined Act21,1866,s.3
"NATURAL SALT" defined . . . . . Bom.Act2,1890,s.3(*d*).
"NATURAL STREAM" defined . . . . . Act5,1882,s.7,*expln. to illn.*
"NAVAL FORCES" defined. *See* HER MAJESTY'S NAVAL FORCES.
"NAVAL SERVICE" defined . . . . . 33-4V.c.90,s.30.
"NAZIR" defined . . . . . Act10,1859,s.168.
"NEGOTIABLE INSTRUMENT" defined . . . . . Act26,1881,s.13.
"NEGOTIATION" defined . . . . . Act26,1881,s.14.
"NEPHEW" defined . . . . . Act10,1865,s.86.

[1] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"NEW BUILDING" defined . . . . . Bom.Act3,1888,s.337(*2*). Bom.Act3,1901,s.96, *expln.*

"NEW INVENTION" defined . . . . . [1]Act5,1888,ss.21,24.

"NEW AND ORIGINAL DESIGN" defined . . . . . [1]Act5,1888,s.55.

"NEWSPAPER" defined . . . . . Act14,1866,s.2. Act7,1908,s.2. Act1,1910,s.2.

"NEXT-OF-KIN" defined (*See also* KINDRED) . . . Act2,1874,s.3.

"NIECE" defined . . . . . Act10,1865,s.86.

"NON-APPARENT EASEMENT" defined . . . . . Act5,1882,s.5.

"NON-BAILABLE OFFENCE" defined . . . . . Act5,1898,s.4.

"NON-COGNIZABLE CASE" defined. . . . . Act5,1898,s.4. Reg.2,1883,s.2.

"NON-COGNIZABLE OFFENCE" defined . . . . . Act5,1898,s.4.

"NON-COMMISSIONED OFFICER" defined . . . . . 44-5V.c.58,s.190(*5*).

"NON-OCCUPANCY-RAIYAT" defined . . . . . Act8,1885,s.4(*c*).

"NORTH-WEST FRONTIER PROVINCE" defined . . . Reg.7,1901,s.2(*1*)(*c*).

"NORTH-WESTERN PROVINCES AND OUDH ACT" defined . Act10,1897,s.3(*35*).

"NOT PROVED" defined . . . . . Act1,1872,s.3.

"NOTARY PUBLIC" defined . . . . . Act26,1881,s.3.

"NOTE" defined. *See* CURRENCY NOTE; PROMISSORY NOTE.

"NOTICE" defined . . . . . Act2,1882,s.3. Act4,1882,s.3. Mad.Act4,1884,s.3(*xvi*). Mad.Act5,1884,s.3(*xvi*).

"NOTIFICATION" defined . . . . . [2]Act5,1869,Pt.I,cl.(*e*)(*1*). Act2,1876,s.3(*c*). Act20,1883,s.3(*7*). Act16,1887,s.4(*18*). Act17,1887,s.3(*15*). Act20,1891,s.3(*7*). Ben.Act3,1884,s.2. Ben.Act1,1885,s.5. Ben.Act3,1885,s.5. Ben.Act4,1887,s.2. Bur.Act1,1898,s.2(*40*). Bur.Act2,1898,s.3(*6*). E.B.&A.Act1,1909, s.5(*41*). P.Act1,1898,s.2(*36*). U.P.Act1,1900,s.3(*2*). Reg.1,1886,s.3(*k*). Reg.5,1886,s.2(*7*). Reg.1,1896,s.3(*3*). Reg.5,1810, s.2(*m*).

"NOTIFIED" defined. (*See also* REGISTERED AND NOTIFIED INCUMBRANCE) . . . . . Act20,1883,s.3(*8*). Act20,1891,s.3(*8*). Reg.5,1886,s.2(*8*). Reg.5,1910,s.2(*vii*).

"NOTIFIED AREA" defined . . . . . Act20,1891,s.210(*2*).

[1] To be repealed by Act 2, 1911.
[2] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"NUISANCE" defined (*See also* PUBLIC NUISANCE)	Ben.Act3,1899,s.3(*29*). Bom.Act3,1888,s.3(*z*). Bom.Act3,1901,s.3(*15*). Mad.Act4,1884,s.3(*xvii*). Mad.Act5,1884, s.3(*xvii*). Mad.Act3,1904,s.3(*19*). U.P.Act3,1894,s.3(*7*).
"OATH" defined (*See also* AFFIDAVIT; SWEAR)	44-5V.c.58,s.190(*28*). 44-5V.c.69,s.39. 52V.c.10,s.11. 52-3V.c.63,s.3. Act30,1852,s.13. Act3,1856,s.2. Act45,1860,s.51. Act10,1897,s.3(*36*). Ben.Act2,1866,s.51. Ben.Act4,1866,s.3. Ben.Act1,1899,s.3(*29*). Bom.Act1,1904,s.3(*32*). Bur.Act1,1898,s.2(*41*). E.B&A.Act1,1909, s.5(*42*). Mad.Act1,1891,s.3(*20*). P.Act1,1898,s.2(*37*). U.P.Act1,1904,s.4(*30*).
"OBLIGATION" defined	Act1,1877,s.3.
"OCCUPANCY" defined	Bom.Act5,1879,s.3(*18*).
"OCCUPANCY-RAIYAT" defined	Act8,1885,s.4(*b*). Mad.Act1,1908,s.3(*6*).
"OCCUPANCY-TENANT" defined	Act11,1898,s.44. Bom.Act1,1890,s.3(*8*). U.P.Act2,1901,s.16.
"OCCUPANT" defined (*See also* PRIVILEGED OCCUPANT; REGISTERED OCCUPANT)	Ben.Act5,1875,s.2. Bom.Act5,1879,s.3(*16*).
"OCCUPATION" defined. *See* ADMITTED TO OCCUPATION.	
"OCCUPATION OF HOUSE" defined	Act 20,1891,s.62(*4*).
"OCCUPIER" defined (*See also* RATEABLE OWNER OR OCCUPIER)	Ben.Act3,1899,s.3(*30*). Mad.Act3,1904,s.3(*20*). U.P.Act1,1900,s.3(*7*).
"OCCUPIER'S RATE" defined	Act8,1873,s.36.
"OFFENCE" defined (*See also* BAILABLE OFFENCE; CIVIL OFFENCE; COGNIZABLE OFFENCE; FOREST OFFENCE; NON-BAILABLE OFFENCE; NON-COGNIZABLE OFFENCE; SEPARATE OFFENCE)	41-2V.c.23,s.7. Act45,1860,ss.4,40,177. 203,212,216. [1]Act5,1869,Pt.I,cl.(*e*)(*22*). Act1,1872,s.30,*expln.* Act10,1897,s.3(*37*). Act5,1898,s.4(*o*). Act15,1903,s.2(*e*). Ben.Act2,1867,s.15. Ben.Act1,1899,s.3(*30*). Bom.Act1,1904,s.3(*33*). Bur.Act1,1898,s.2(*42*). E.B.&A.Act1,1909, s.5(*43*). Mad.Act1,1891,s.3(*21*). P.Act1,1898,s.2(*38*). U.P.Act1,1904,s.4(*31*).

[1] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"OFFENSIVE MATTER" defined . . . . . Ben.Act5,1876,s.6(*13*). Ben.Act3,1884,s.6(*10*). Ben.Act3,1899,s.3(*31*). Mad.Act3,1904,s.3(*21*).

"OFFENSIVE TRADES" defined . . . . . Mad.Act3,1904,s.3(*22*).

"OFFICE" defined (*See also* MUNICIPAL OFFICE; PUBLIC OFFICE; REGISTERED OFFICE OF COMPANY; REVENUE-OFFICE) . . . Act11,1876,s.3.

"OFFICE UNDER HER MAJESTY" defined . . . . . 52-3V.c.52,s.8. Act15,1889,s.2(*6*).

"OFFICER" (Military) defined (*See also* BRITISH OFFICER; COMMANDER-IN-CHIEF; COMMANDING OFFICER; GENERAL OFFICER OF THE COMMAND; NON-COMMISSIONED OFFICER; SUPERIOR OFFICER) . . . 44-5V.c.58,s.190(*4*). 56V.c.5,s.29. Act45,1860,s.131,*expln.* [1]Act5,1869,Pt.I,cl.(*e*)(*5*). Act2,1874,s.3. Act15,1910,s.3(*a*).

"OFFICER COMMANDING THE DIVISION" defined . . . Act2,1902,s.2(*1*)(*c*).

"OFFICER EXERCISING (OR HAVING) THE POWERS (OR THE FULL POWERS) OF A MAGISTRATE": construction of references to . . . Act5,1898,s.3.

"OFFICER IN CHARGE OF A POLICE-STATION" defined . . . Act5,1898,s.4(*p*). Ben.Act4,1866,s.3(ins. Ben.Act3,1910, s.3).

"OFFICER IN CHARGE OF A SECTION" defined . . . . Bom.Act4,1902,s.3(*c*).

"OFFICER IN THE CONSULAR SERVICE OF HER MAJESTY" defined . . . . . 33V.c.14,s.17.

"OFFICER IN THE DIPLOMATIC SERVICE OF HER MAJESTY" defined . . . . . 33V.c.14,s.17.

"OFFICER OF COMPANY" defined . . . . . Act6,1882,s.214,*expln.I.*

"OFFICER OF POLICE" defined . . . . . Act1,1871,s.3. Act17,1879,s.38.

"OFFICIAL ADMINISTRATOR" defined . . . . . 56V.c.5,s.29.

"OFFICIAL ASSIGNEE" defined . . . . . Act3,1909,s.2(*c*).

"OFFICIAL GAZETTE" defined (*See also* BRITISH BURMA GAZETTE; GAZETTE) . . . Bom.Act1,1884,s.3(*1*).

"OFFICIAL LIQUIDATOR" defined . . . . . Act6,1882,s.195.

"OFFICIAL RECEIVER" defined . . . . . Act3,1907,s.19.

"OFFICIAL SECRET" defined . . . . . Act2,1896,s.17(*1*).

"OFFICIAL YEAR" defined . . . . . Bom.Act3,1888,s.3(*bb*). Bom.Act3,1901,s.3(*10*). Mad.Act4,1884,s.3(*xi*). Mad.Act5,1884,s.3(*xix*).

"OFFICIATOR" defined . . . . . Bom.Act3,1874,s.4.

"OIL" defined . . . . . Reg.6,1910,s.2(*i*).

"OIL-FIELD" defined . . . . . Reg.6,1910,s.2(*a*).

"OLD WASTE" defined . . . . . Mad.Act1,1908,s.3(*7*).

"OMISSION" defined (*See also* ILLEGAL OMISSION) . . . Act45,1860,s.33.

"ON PRESENTMENT" defined . . . . . Act26,1881,s.21.

"OPEN COURT" defined . . . . . Act5,1898,s.352.

"OPERATOR" defined . . . . . Act9,1910,ss.14,32(*1*).

[1] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"OPIUM" defined . . . . . Act1,1878,s.3.
"ORAL EVIDENCE" defined . . . . . Act1,1872,s.119.
"ORDER" defined . . . . . 7-8V.c.12,s.20. Act5,1908,s.2(*14*). Act 11,1886,s.3(*6*).
"ORDER IN COUNCIL" defined . . . . . 7-8V.c.12,s.20.
"ORDINARY POWERS" (of Magistrates) defined . . . . Act5,1898,s.36.
"ORDINARY TENANT" defined . . . . . Act11,1898,s.62.
"ORDNANCE MAP" defined . . . . . 52-3V.c.66,s.65.
"ORISSA" defined. *See* PROVINCE OF ORISSA.
"OUTWORKS" defined . . . . . 6Edw.7,c.58,s.13.
"OWNER" defined (*See also* DOMINANT OWNER; LAND-OWNER; PROPRIETOR; RATEABLE OWNER; SERVIENT OWNER) . . . . . Act19,1850,s.25. Act6,1878,s.3. Act8,1878,s.4. Act19,1884,s.2(*3*). Act2,1886,s.24(*2*). Act20,1891,s.3(*5*). Act8,1901,s.3(*e*). Act2,1902,s.3(*2*)(*f*). Act16,1903,s.2(*d*). Act7,1904,s.2(*6*). Act2,1907,s.2(*c*). Act15,1910,s.2(*e*). Ben.Act3,1867,s.1. Ben.Act4,1871,s.1. Ben.Act3,1876,s.3(*9*). Ben.Act5,1876,s.6(*14*). Ben.Act3,1879,s.3. Ben.Act3,1884,s.6 (*11*). Ben.Act1,1887,s.2. Ben.Act4,1887,s.2. Ben.Act3,1899,s.3(*32*). Bom.Act6,1879,s.3(*5*). Bom.Act7,1879,s.3(*7*). Bom.Act6,1886,s.2(*7*). Bom.Act3,1888,s.3(*m*). Bom.Act2,1891,s.3(*e*). Bom.Act3,1901,s.3(*8*). Bur.Act3,1898,s.2(*8*). Bur.Act4,1905,s.4(*7*). Bur.Act2,1910,s.3. Mad.Act7,1871,s.1. Mad.Act4,1884,s.3(*xix*). Mad.Act5,1884,s.3(*xviii*). Mad.Act3,1885,s.3(*3*). Mad.Act3,1893,s.2. Mad.Act3,1904,s.3(*23*). Mad.Act2,1905,s.5(*8*). P.Act2,1902,s.2. U.P.Act1,1891,s.2(*c*). U.P.Act3,1894,s.2(*4*). U.P.Act1,1899,s.2. Reg.5,1886,s.2(*6*). Reg.2,1907,s.2(*d*). Reg.5,1910,s.2(*viii*).
"OWNER OF PALANQUIN" defined . . . . . Ben.Act2,1891,s.48(*3*).

WORDS AND PHRASES—*contd.*

"OWNER OF VILLAGE-CHANNEL" defined . . . . . Ben.Act3,1876,s.58.
"OWNER'S RATE" defined . . . . . Act8,1873,s.37.
"PACHWAI" defined . . . . . Ben.Act5,1909,s.2(*16*). E.B.&A.Act1,1910, s.3(*16*). U.P.Act4,1910,s.3(*7*).
"PACKET" defined. *See* CLUBBED PACKET.
"PALANQUIN" defined . . . . . Mad.Act4,1884,s.3(*xx*). Mad.Act5,1884,s.3(*xix*).
"PANCHAYAT" defined . . . . . Mad.Act5,1884,s.3(*xx*).
"PAPER" defined . . . . . Act2,1899,s.2(*18*).
"PAPER CURRENCY DEPARTMENT" defined. *See* DEPARTMENT OF PAPER CURRENCY.
"PAR VALUE" defined. *See* ESTABLISHED PAR VALUE.
"PARDA-NISHIN" defined . . . . . Ben.Act1,1876,s.2.
"PARENT" defined (*See also* FATHER) . . . . . Act13,1855,s.4. Act13,1880,s.2(*2*). Ben.Act5,1880,s.2. Bom.Act1,1877,s.2(*1*). Bom.Act4,1879,s.2(*1*). Bom.Act1,1892,s.4(*a*) Mad.Act4,1884,s.3(*xxi*). Mad.Act5,1884,s.3(*xxi*).
"PARENT ESTATE" defined . . . . . Ben.Act5,1897,s.3(*xi*).
"PARLIAMENT" defined . . . . . Act1,1872,s.57(*4*),*expln.*
"PART" defined . . . . . Act10,1897,s.3(*38*). Ben.Act1,1899,s.3(*31*). Bom.Act1,1904,s.3(*34*). Bur.Act1,1898,s.2(*43*). E.B.&A.Act1,1909,s.5 (*44*). Mad.Act1,1891,s.3(*4*). P.Act1,1898,s.2(*39*). U.P.Act1,1904,s.4(*32*).
"PARTITION" defined (*See also* IMPERFECT PARTITION; INSTRUMENT OF PARTITION; PERFECT PARTITION) . . . . . U.P.Act3,1901,s.106.
"PARTNERSHIP" defined . . . . . Act9,1872,s.239.
"PARTY WALL" defined . . . . . Ben.Act3,1899,s.3(*33*).
"PASS" defined . . . . . Act9,1890,s.3(*15*).
"PASSENGER" defined (*See also* STEERAGE PASSENGER) . . . . . 57-8V.c.60,s.267. Act6,1884,s.5(*7*). Act7,1884,s.3(*4*). Act10,1887,s.5(*2*).
"PASSENGER STEAMER" defined . . . . . 57-8V.c.60,s.267.
"PATEL" defined . . . . . Act18,1881,s.4(*13a*).
"PATNI" defined . . . . . Ben.Reg.8,1819,s.1.
"PATROL" defined. *See* ROAD PATROL.
"PATTI" defined . . . . . Act18,1881,s.4(*13b*).
"PAUPER" defined . . . . . Act5,1908,Sch.1,o.33,r.1.
"PAUPER LEPER" defined (*See also* LEPER) . . . . Act3,1898,s.2(*2*).
"PAWNER" defined . . . . . Act9,1872,s.172.

WORDS AND PHRASES—*contd.*

"PAWNOR" defined . . . . . Act9,1872,s.172.

"PAY" defined . . . . . Act16,1887,s.4(*2*).
Act17,1887,s.3(*5*).
Act11,1898,s.2(*7*).
Ben.Act6,1908,s.3(*xviii*).
Mad.Act1,1908,s.3(*8*).
U.P.Act2,1901,s.4(*4*).

"PAY AND ALLOWANCES" defined . . . . . [1]Act5,1869,art.139.

"PAYABLE" defined . . . . . Act8,1885,s.3(*6*).
Act11,1898,s.2(*7*).
Ben.Act6,1908,s.3.

"PAYABLE ON DEMAND" defined . . . . . Act2,1899,s.2(*3*).

"PAYEE" defined . . . . . Act26,1881,s.7.

"PAYMENT" defined . . . . . Act15,1887,s.20.
Act8,1885,s.3(*6*).
Act11,1898,s.2(*7*).
Ben.Act6,1908,s.3.

"PAYMENT IN DUE COURSE" defined . . . . . Act26,1881,s.10.

"PENAL DIET" defined . . . . . Act9,1894,s.46(*9*).

"PENSION" defined . . . . . Act21,1886,s.2.

"PERFECT PARTITION" defined . . . . . Act18,1881,s.136(*2*).
U.P.Act3,1901,s.106.
Reg.1,1886,s.96.

"PERFORMED" and "PERFORMANCE" defined . . . . 49-50V.c.33,s.11.

"PERMANENT" defined . . . . . Ben.Act6,1880,s.3.*expln.*

"PERMANENT ALIENATION" defined . . . . . Act13,1900,s.2(*4*)(sub.
P.Act1,1907,s.2).
U.P.Act2,1903,s.2(*3*).

"PERMANENT SETTLEMENT" defined . . . . . Act8,1885,s.3(*12*).

"PERMANENT TENURE" defined . . . . . Act8,1885,s.3(*8*).
Ben.Act6,1908,s.3(*xviii*).

"PERMANENT TENURE-HOLDER" defined . . . . . U.P.Act2,1901,s.7.

"PERMANENTLY-SETTLED ESTATE" defined . . . . . Reg.1,1886,s.3(*c*).

"PERMANENTLY-SETTLED PORTION OF GOALPARA" defined . . Reg.3,1879,s.2(*4*).

"PERMANENTLY-SETTLED PORTION OF SYLHET" defined . . . Reg.3,1879,s.2(*4*).

"PERMISSION" defined . . . . . 37-8V.c.77,s.14.

"PERSON" defined . . . . . 48-9V.c.25,s.2.
48-9V.c.49,s.12.
49-50V.c.48,s.27.
50-1V.c.11,s.9.
52-3V.c.63,s.19.
Act13,1855,s.4.
Act5,1857,s.27.
Act1,1859,s.118.
Act24,1859,s.1.
Act45,1860,s.11.
Act5,1861,s.1.
Act8,1864,s.1.
Act17,1864,s.1.
Act3,1865,s.2.
Act10,1865,s.3.
Act27,1866,s.2.
Act6,1882,s.6.*expln.*

[1] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"PERSON" defined—*contd.*	Act2,1886,s.3(*7*). Act10,1897,s.3(*39*). Ben.Act5,1864,s.1. Ben.Act2,1866,s.51. Ben.Act3,1876,s.46. Ben.Act1,1893,s.3(*5*) Ben.Act1,1899,s.3(*32*). Ben.Act3,1899,s.51. Bom.Act3,1875,s.3(*2*) Bom.Act1,1904,s.3(*35*). Bur.Act1,1898,s.2(*44*) E.B.&A.Act1,1909, s.5(*45*). Mad.Act4,1884,s.3(*xxii*) Mad.Act5,1884,s.3(*xxii*). Mad.Act1,1891,s.3(*22*) P.Act1,1898,s.2(*40*) U.P.Act1,1904,s.4(*33*). Reg.8,1874,s.1.
"PERSON ENTITLED" (to land) defined	Act30,1859,s.1.
"PERSON FILLING A PUBLIC OFFICE" defined	Act7,1880,s.64
"PERSON INTERESTED" defined	Act7,1878,s.10(*b*). Act1,1894,s.3(*b*) Act7,1903,s.2(*b*). P.Act2,1900,s.2(*d*)
"PERSON INTERESTED TO DENY" defined	Act1,1877,s.42,*expln.*
"PERSON OF EUROPEAN EXTRACTION" defined	Act9,1874,s.3.
"PERSON OF UNSOUND MIND" defined (*See also* LUNATIC)	Act27,1866,s.2.
"PERSONAL ESTATE" defined (*See also* MOVEABLE PROPERTY)	Act25,1838,s.1.
"PERSONAL REPRESENTATIVE" defined (*See also* LEGAL PERSONAL REPRESENTATIVE)	5-6V.c.45,s.2.
"PERSONATION" defined. *See* CHEATING BY PERSONATION.	
"PETROLEUM" defined	Act20,1891,s.3(*6*). Act8,1899,s.2(*a*).
"PETTY OFFICER" defined	Act14,1887,s.2(*1*)(*d*).
"PHULERA" defined	Reg.2,1900,s 2(*b*).
"PIER" defined	Bom.Act6,1879,s 3(*9*). Mad.Act2,1905,s 5(*9*).
"PILGRIM" defined	Act14,1895,s.5. Ben.Act1,1896,s.2(*a*). Bom.Act2,1887,s.2(*1*).
"PILGRIM-BROKER" defined	Ben.Act1,1896,s.2(*b*). Bom.Act2,1887,s 2(*2*).
"PILGRIM SHIP" defined	Act14,1895,s.5(*2*).
"PILOT" defined	57-8V.c.60,s.742. Act6,1884,s.68. Act15,1908,s.2(*3*). Ben.Act4,1887,s.2. Bur.Act4,1905,s.4(*8*).

WORDS AND PHRASES—*contd.*

"PLACE" defined (*See also* PUBLIC PLACE)	Act12,1896,s.3(*f*). Act5,1898,s.4(*q*). Ben.Act5,1909,s.2(*17*). Bom.Act6,1863,s.34. E.B.&A.Act1,1910, s.3(*17*). Mad.Act1,1886,s.3(*20*). Mad.Act4,1889,s.3(*q*). Mad.Act1,1891,s.3(*23*). U.P.Act4,1910,s.3(*22*).
"PLACE BELONGING TO HER MAJESTY" defined	Act15,1889,s.2(*1*).
"PLACE OF BUSINESS" defined	8Edw.7,c.69,s.274(*6*).
"PLACE OF PUBLIC AMUSEMENT" defined	Ben.Act2,1866,s.51(ins. Ben.Act3,1910,s.4). Ben.Act4,1866,s.3(ins. Ben.Act3,1910, s.4). Bom.Act4,1902,s.3(*g*).
"PLACE OF PUBLIC ENTERTAINMENT" defined	Ben.Act2,1866,s.51(ins. Ben.Act3,1910,s.4. Ben.Act4,1866,s.3(ins. Ben.Act3,1910,s.4). Bom.Act4,1902,s.3(*h*).
"PLAINTIFF" defined	Act9,1908,s.2(*8*). Bom.Act2,1906,s.3(*b*).
"PLANTER" defined	Mad.Act1,1903,s.3(*1*)(*g*).
"PLAYING" defined. *See* GAMING.	
"PLEADER" defined (*See also* GOVERNMENT PLEADER; LEGAL PRACTITIONER).	Act5,1898,s.4(*r*). Act5,1908,s.2(*15*). Reg.8,1896,Sch.2.
"PLEDGE" defined	Act9,1872,s.172.
"PLINTH" defined	Ben.Act1,1900,s.4.
"PLUMBER" defined. *See* LICENSED PLUMBER.	
"POISON" defined	Act1,1904,s.2(*3*).
"POLICE" defined (*See also* DISTRICT POLICE)	Act24,1859,s.1. Act5,1861,s.1. Bom.Act7,1867,s.1. Bur.Act4,1899,s.5(*2*).
"POLICE-AUTHORITY" defined	44-5V.c.58,s.190(*39*).
"POLICE COMMISSIONER" defined (*See also* COMMISSIONER OF POLICE)	Bom.Act3,1888,s.3(*f*).
"POLICE-DAROGHA" defined	Act20,1856,s.61.
"POLICE-DISTRICT" defined. *See* GENERAL POLICE-DISTRICT.	
"POLICE-FORCE" defined	6Edw.7,c.58,s.13. Act24,1859,s.8.
"POLICE MAGISTRATE" defined (*See also* MAGISTRATE OF POLICE)	33-4V.c.52,s.26. Act15,1903,s.6.
"POLICE-OFFICER" defined (*See also* MILITARY POLICE-OFFICER; OFFICER IN CHARGE OF A POLICE-STATION; OFFICER OF POLICE; POLICE-DAROGHA; VILLAGE-POLICEMAN)	Ben.Act7,1864,s.3, Ben.Act2,1866,s.51(ins. Ben.Act3,1910,s.4). Ben.Act4,1866,s.3(ins. Ben.Act3,1910,s.4). Bom.Act7,1867,s.1. Bom.Act8,1867,s.1. Bom.Act4,1890,s.3(*6*). Bom.Act4,1902,s.3(*b*).

WORDS AND PHRASES—*contd.*

"POLICE PORT-DUES" defined . . . . . Ben.Act3,1867,s.10.

"POLICE-STATION" defined (*See also* DISTRICT POLICE-STATION) . . . . . Act5,1898,s.4(*s*). Ben.Act2,1866,s.51(ins. Ben.Act3,1910,s.4). Ben.Act4,1866,s.3(ins. Ben.Act3,1910,s.4).

"POLICY OF INSURANCE" defined . . . . . Act2,1899,s.2(*19*).

"POLICY OF SEA INSURANCE" defined . . . . . Act2,1899,s.2(*20*).

"POLITICAL AGENT" defined . . . . . Act10,1897,s.3(*40*). Bur.Act1,1898,s.2(*45*). E.B.&A.Act1,1909, s.5(*46*). P.Act1,1898,s.2(*41*).

"POLITICAL TENURE" defined . . . . . Bom.Act2,1863,s.16(*c*). Bom.Act7,1863,s.32(*c*).

"POPULOUS PARTS OF THE CITY" defined . . . . . Mad.Act3,1904,s.3(*24*).

"PORT" defined (*See also* CUSTOMS-PORT; FOREIGN PORT; WAREHOUSING PORT) . . . . . Act7,1880,s.2. Act12,1883,s.2. Act15,1908,s.2(*4*). Ben.Act3,1867,s.1. Ben.Act4,1887,s.2. Bom.Act6,1879,s.3(*2*). Bom.Act6,1886,s.2(*1*). Bom.Act5,1888,s.2(*a*). Bom.Act4,1905,s.4(*a*). Mad.Act3,1885,s.3(*1*). Mad.Act2,1905,s.5(*10*).

"PORT-DUES" defined. *See* HOSPITAL PORT-DUES; POLICE PORT-DUES.

"PORT OF CALCUTTA" defined . . . . . Ben.Act5,1880,s.2.

"PORT-OFFICER" defined . . . . . Act15,1908,s.2(*5*).

"POSSESSION" defined (*See also* CONTINUOUS POSSESSION; RECORDED POSSESSION) . . . . . Act45,1860,s.27. Act2,1876,s.3. Bom.Act2,1890,s.3(*o*). Bur.Act4,1898,s.4(*8*).

"POST" defined . . . . . Act13,1885,s.3(*5*).

"POST-OFFICE" defined . . . . . Act6,1898,s.2(*h*).

"POSTAGE" defined . . . . . Act6,1898,s.2(*f*).

"POSTAGE STAMP" defined . . . . . Act6,1898,s.2(*g*).

"POSTAL ARTICLE" defined . . . . . Act6,1898,s.2(*i*).

"POSTAL OFFICER" defined . . . . . 54-5V.c.31,s.9.

"POWER OF APPOINTMENT" defined . . . . . Act10,1865,s.56,*expln.*

"POWER-OF-ATTORNEY" defined . . . . . Act2,1899,s.2(*21*).

"PRAEDIAL CONDITIONS" defined . . . . . Ben.Act6,1908,s.3(*xix*).

"PRECIOUS STONE" defined . . . . . Reg.12,1887,s.2(*1*).

"PRE-EMPTION" defined. *See* RIGHT OF PRE-EMPTION.

"PREMISES" defined . . . . . Ben.Act1,1887,s.2.

"PREMIUM" defined . . . . . Act4,1882,s.105.

WORDS AND PHRASES—*contd.*

"PRESCRIBED" defined (*See also* MANNER PRESCRIBED)	44-5V.c.58,s.190(*32*). 52V.c.10,s.4(add.7Edw. 7,c.25,s.1). 56V.c.5,s.29. [1]Act5,1869,Pt.I,cl.(*e*)(*2*). Act6,1884,s.5(*8*) Act7,1884,s.3(*5*) Act8,1885,s.3(*15*. Act2,1886,s.3(*3*). Act6,1886,s.3. Act11,1886,s.3(*15*). Act13,1886,s.3(*2*). Act22,1886,s.3(*13*). Act14,1887,s.2(*1*)(*j*). Act8,1890,s.4(*8*). Act14,1895,s.5(*5*). Act16,1903,s.2(*e*). Act2,1907,s.2(*d*). Bom.Act1,1889,s.4(*b*). Reg.1,1886,s.3(*l*). Reg.5,1886,s.2(*9*). Reg.2,1907,s.2(*e*). Reg.5,1910,s.2(*ix*).
"PRESCRIBED AREA" defined	Bom.Act5,1878,s.18A(*2*).
"PRESCRIBED DAY" defined	Act1,1883,s.24(*9*). Act20,1883,s.3(*6*)
"PRESCRIBED LIMIT" defined	Bom.Act5,1878,s.18A(*2*).
"PRESCRIPTIVE RIGHT" defined	Act5,1882,s.1.
"PRESENTMENT" defined. *See* AFTER SIGHT; AT SIGHT: ON PRESENTMENT.	
"PRESIDENCY" defined	Act45,1860,s.48. Act17,1864,s.34(*v*). Act2,1874,s.68(*v*). Act8,1888,s.2(*2*).
"PRESIDENCY OF BENGAL" defined	Act2,1874,s.3.
"PRESIDENCY OF FORT WILLIAM" defined	Act11,1876,s.3.
"PRESIDENCY OF BOMBAY" defined	Act2,1874,s.3. Act11,1876,s.3. Bom.Act1,1904,s.3(*7*).
"PRESIDENCY OF MADRAS" defined	Act2,1874,s.3. Mad.Act1,1891,s.3(*24*).
"PRESIDENCY OF FORT ST. GEORGE" defined	Act11,1876,s.3.
"PRESIDENCY MAGISTRATE" defined	Act5,1898,s.18.
"PRESIDENCY-TOWN" defined (*See also* CALCUTTA; CITY OF BOMBAY; CITY OF MADRAS)	Act2,1874,ss.3,68(*v*). Act10,1897,s.3(*41*). Mad.Act1.1891,s.3(*25*).
"PRESIDENT" defined	Mad.Act3,1904,s.3(*25*).
"PRESUME" defined. *See* MAY PRESUME; SHALL PRESUME.	
"PREVENTIVE RELIEF" defined	Act1,1877,s.6.
"PRIEST" defined	Act15,1865,s.2.
"PRIMARY EVIDENCE" defined	Act1,1872,s.62.

[1] To be repealed by Act 5, 1911.

WORDS AND PHRASES—*contd.*

"PRIME-MOVER" defined	Act2,1907,s.2(*b*). Ben.Act3,1879,s.3. Bom.Act2,1891,s.3(*b*). Bur.Act2,1910,s.3. Mad.Act3,1893,s.2. P.Act2,1902,s.2. U.P.Act1,1899,s.2.
"PRINCIPAL" defined	Act9,1872,s.182.
"PRINCIPAL DEBTOR" defined	Act9,1872,s.126.
"PRINCIPAL OFFICER" defined	Act2,1886,s.3(*10*).
"PRINTING" defined	7V.c.12,s.20.
"PRINTING PRESS" defined	Act1,1900,s.2. Act7,1908,s.2.
"PRISON" defined (*See also* CIVIL JAIL; JAIL)	47-8V.c.31,s.18. Act9,1894,s.3(*1*). Act3,1900,s.2(*b*).
"PRISONER" defined. *See* CIVIL PRISONER.	
"PRIVATE BRIDGE" defined	Ben.Act1,1900,s.4.
"PRIVATE DEBT" defined	U.P.Act1,1903,s.2(*a*).
"PRIVATE DOCUMENT" defined	Act1,1872,s.75.
"PRIVATE DRAIN" defined	Ben.Act4,1900,s.4.
"PRIVATE ESTATE UNDER GOVERNMENT MANAGEMENT" defined	Act10,1892,s.2(*3*).
"PRIVATE FERRY" defined	Ben.Act1,1885,s.5.
"PRIVATE LAND" defined	Mad.Act1,1908,s.3(*10*).
"PRIVATE MARKET" defined	Bom.Act3,1888,s.398. Mad.Act4,1884,s.3(*xiii*).
"PRIVATE ROAD" defined	Ben.Act1,1900,s.4.
"PRIVATE SALT-WORK" defined	Bom.Act2,1890,s.3(*k*).
"PRIVATE SLAUGHTER-HOUSE" defined	Bom.Act3,1888,s.398.
"PRIVATE STREET" defined	Ben.Act3,1899,s.3(*35*). Bom.Act3,1888,ss.3(*y*). 307. Mad.Act3,1904,s.3(*26*).
"PRIVATE VACCINATOR" defined	Mad.Act4,1884,s.3(*xxxii*). Mad.Act5,1884,s.3(*xxx*). (*c*).
"PRIVATE WATER" defined	Act4,1897,s.3(*3*). Ben.Act2,1889,s.2.
"PRIVILEGED OCCUPANT" defined	Bom.Act1,1880,s.3(*5*).
"PRIVILEGED WILL" defined	Act10,1865,s.52.
"PRIVY COUNCIL" defined	52-3V.c.63,s.12(*5*). Act10,1897,s.3(*42*). Bur.Act1,1898,s.2(*46*). E.B.andA.Act1,1909, s.5(*47*). P.Act1,1898,s.2(*42*).
"PROBATE" defined	55V.c.6,s.6. Act10,1865,s.3. Act5,1881,s.3.
"PROBATE-DUTY" defined	55V.c.6,s.6.
"PROCLAIMED OFFENDER" defined	Act5,1898,s.45(*e*)(*ii*).
"PRODUCE" defined. *See* ACTUAL PRODUCE; FOREST-PRODUCE.	

WORDS AND PHRASES—*contd.*

"PRODUCE OF A HOLDING" defined . . . . . Act11,1898,s.23.
"PRODUCED" defined . . . . . 49-50V.c.33,s.11.
"PROFITS" defined. *See* MESNE PROFITS; NET ANNUAL PROFITS.
"PROHIBITED ARTICLE" defined . . . . . Act9,1894,s.3(*9*).
"PROMISE" defined (*See also* EXPRESS PROMISE; IMPLIED PROMISE; RECIPROCAL PROMISE) . Act9,1872,s.2(*b*).
"PROMISEE" defined . . . . . Act9,1872,s.2(*c*).
"PROMISOR" defined . . . . . Act9,1872,s.2(*c*).
"PROMISSORY NOTE" defined . . . . . Act26,1881,s.4. Act2,1899,s.2(*22*). Act9,1908,s.2(*9*).
"PROMOTOR" defined . . . . . Act11,1886,s.3(*7*). Ben.Act3,1883,s.3.
"PROOF" defined. *See* BURDEN OF PROOF: CONCLUSIVE PROOF; DISPROVED; NOT PROVED; PROVED.
"PROPERTY" defined (*See also* ANCESTRAL PROPERTY; IMMOVEABLE PROPERTY; MOVEABLE PROPERTY; PERSONAL ESTATE; REAL ESTATE; REVENUE-FREE PROPERTY; SEPARATE PROPERTY; STOLEN PROPERTY; TRANSFER OF PROPERTY; TRUST-PROPERTY; WATAN PROPERTY) . . . . Act24,1859,s.1. Act5,1861,s.1. Act4,1869,s.3(*10*). Act1,1877,s.54,*expln.* Act5,1898,s.517,*expln.* Act3,1907,s.2(*b*). Act3,1909,s.2(*e*). Ben.Act2,1866,s.51. Ben.Act4,1866,s.3. Bom.Act7,1867,s.1.
"PROPERTY-MARK" defined (*See also* USING A FALSE PROPERTY-MARK) . . . . Act45,1860,s.479. Bur.Act4,1902,s.3(*9*).
"PROPERTY-TAX" defined . . . . . Bom.Act3,1888,s.140.
"PROPOSAL" defined . . . . . Act9,1872,s.2(*a*).
"PROPOSITIONS" defined. *See* MATERIAL PROPOSITIONS.
"PROPRIETARY ESTATE" defined . . . . . Mad.Act3,1895,s.4.
"PROPRIETARY RIGHT" defined . . . . . Act22,1886,s.3(*7*).
"PROPRIETOR" defined (*See also* ACTUAL PROPRIETOR OF LAND; DISQUALIFIED PROPRIETOR; OWNER; RECORDED PROPRIETOR; UNDER-PROPRIETOR) . Act11,1876,s.3. Act18,1881,s.4(*6*),*expln.* 2,s.3(*a*). Act8,1885,s.3(*2*). Act5,1886,s.3(*7*). Act22,1886,s.3(*6*). [1]Act5,1888,s.50(*3*). Ben.Act7,1868,s.1. Ben.Act6,1873,s.3. Ben.Act7,1876,s.3(*8*). Ben.Act6,1880,s.3. Ben.Act5,1897,s.3(*v*). Ben.Act6,1908,s.3(*xxi*). Mad.Act2,1894,s.4. Mad.Act3,1895,s.4. Mad.Act4,1897,s.3. Mad.Act1,1902,s.4. U.P.Act3,1899,s.3(*4*). U.P.Act1,1903,s.2(*d*). Reg.1,1886,s.3(*f*).
"PROPRIETOR OF AN IMPARTIBLE ESTATE" defined . Mad.Act2,1904,s.2(*3*).

[1] To be repealed by Act 2, 1911.

WORDS AND PHRASES—*contd.*

"PROPRIETOR OF EAST INDIA STOCK" defined . . . 36V.c.17,s.2.
"PROPRIETOR OF LAND" defined . . . . . Ben.Reg.27,1795,s.10.
"PROPRIETORS OF VILLAGE-LANDS" defined . . . . U.P.Act2,1892,s.2(7).
"PROSECUTING A PROCEEDING" defined . . . . . Act9,1908,s.14,*expln.2.*
"PROSECUTOR" defined. *See* PUBLIC PROSECUTOR.
"PROSPECTUS" defined . . . . . 8Edw.7,c.69,s.274(6).
"PROTECTED INTEREST" defined . . . . . Act8,1885,s.160.
"PROTECTED FOREST" defined . . . . . Act7,1878,s.28.
"PROTECTED WASTE-LAND" defined . . . . . Reg.6,1893,s.2(7).
"PROTEST" defined . . . . . Act26,1881,s.100.
"PROTEST FOR BETTER SECURITY" defined . . . . Act26,1881,s.100.
"PROVED" defined . . . . . Act1,1872,s.3.
"PROVIDENT FUND" defined (*See also* RAILWAY PROVIDENT FUND) . . . . . Act9,1897,s.2.
"PROVINCE" defined . . . . . 55-6V.c.14,s.6.
Act10,1865,s.3.
Act5,1881,s.3.
Act10,1897,s.3(*43*).
Bur.Act1,1898,s.2(*47*).
E.B.&A.Act1,1909, s.5(*48*).
P.Act1,1898,s.2(*43*).
"PROVINCE OF ORISSA" defined . . . . . Act9,1847,s.2.
"PROXY" defined . . . . . Act11,1876,s.55.
"PUBLIC" defined . . . . . Act45,1860,s.12.
Mad.Act1,1891,s.3(*2c*).
"PUBLIC ACCOUNTANT" defined . . . . . Act12,1850,s.3.
"PUBLIC AUTHORITY" defined . . . . . Act2,1901,s.2(*9*).
"PUBLIC BRIDGE" defined . . . . . Ben.Act1,1900,s.4.
"PUBLIC BUILDING" defined . . . . . 44-5V.c.48,s.108A(*5*)(ins. 9Edw.7,c.3,s.7).
Ben.Act3,1899,s.3(*36*).
"PUBLIC DEBT" defined . . . . . U.P.Act1,1903,s.2(*b*).
"PUBLIC DOCUMENT" defined . . . . . Act1,1872,s.74.
Act18,1881,s.146.
[1]Act5,1888,s.14(*1*).
"PUBLIC DRAIN" defined . . . . . Ben.Act1,1900,s.4.
"PUBLIC EMBANKMENT" defined . . . . . Act32,1855,s.2.
Ben.Act6,1873,s.3.
Ben.Act2,1882,s.3.
"PUBLIC FERRY" defined . . . . . Mad.Act2,1890,s.3.
"PUBLIC-FOREST LAND" defined . . . . . Bur.Act4,1902,s.3(*10*).
"PUBLIC HIGHWAY" defined . . . . . Ben.Act4,1868,s.8.
"PUBLIC HOLIDAY" defined . . . . . Act26,1881,s.25,*expln.*
Bom.Act3,1888,s.3(*cc*).
"PUBLIC KNOWLEDGE" defined . . . . . [1]Act5,1888,s.22.
"PUBLIC LAMP" defined . . . . . Act9,1910,s.2(*k*).
"PUBLIC LAND-CONVEYANCE" defined . . . . . Bom.Act6,1863,s.1.
"PUBLIC MARKET" defined . . . . . Mad.Act4,1884,s.3(*xii*).
"PUBLIC MEETING" defined. . . . . Act10,1911,s.3.

[1] To be repealed by Act 2, 1911.

WORDS AND PHRASES—*contd.*

"PUBLIC MUHAMMADAN BURIAL GROUND" defined	Ben.Act4,1889,s.2.
"PUBLIC NUISANCE" defined	Act45,1860,s.268. Act10,1897,s.3(*44*). Ben.Act1,1899,s.3(*33*). Bom.Act1,1904,s.3(*36*). Bur.Act1,1898,s.2(*48*). E.B.&A.Act1,1909, s.5(*49*). Mad.Act1,1891,s.3(*27*). P.Act1,1898,s.2(*44*). U.P.Act1,1904,s.4(*34*).
"PUBLIC OFFICE" defined	55-6V.c.40,s.4.
"PUBLIC OFFICER" defined (*See also* PUBLIC SERVANT)	Act5,1908,s.2(*17*). Ben.Act1,1876,s.25.
"PUBLIC PLACE" defined	Act5,1898,s.133,*expln.* Ben.Act2,1866,s.51(ins. Ben.Act3,1910,s.4). Ben.Act4,1866,s.3(ins. Ben.Act3,1910,s.4). Bom.Act4,1902,s.3(*j*).
"PUBLIC PROSECUTOR" defined	Act5,1898,s.4(*t*).
"PUBLIC PURPOSE" defined	Act1,1894,s.3(*f*).
"PUBLIC ROAD" defined (*See also* PUBLIC STREET)	Act9,1890,s.125(*4*). Ben.Act1,1900,s.4. Mad.Act5,1884,s.3(*xxiii*).
"PUBLIC REVENUES" defined (*See also* REVENUE)	Act15,1910,s.22. Mad.Act2,1864,s.1.
"PUBLIC SECURITIES" defined (*See also* GOVERNMENT SECURITY)	Bom.Act6,1879,s.3(*12*). Bom.Act6,1886,s.69. Bom.Act3,1888,s.3(*o*). Bom.Act5,1888,s.66(*3*). Bom.Act3,1901,s.3(*18*).
"PUBLIC SERVANT" defined (*See also* EXPECTING TO BE A PUBLIC SERVANT; PUBLIC OFFICER)	Act45,1860,s.21.
"PUBLIC STREET" defined (*See also* PUBLIC ROAD)	Ben.Act3,1899,s.3(*37*). Bom.Act3,1888,s.3(*x*). Bom.Act3,1901,s.3(*13*). Mad.Act4,1884,s.3(*xxviii*). Mad.Act5,1884,s.3(*x*). Mad.Act3,1904,s.3(*27*).
"PUBLIC USE OR KNOWLEDGE" defined	[1]Act5,1888,s.22.
"PUBLIC VACCINATOR" defined	Ben.Act5,1880,s.2. Bom.Act1,1877,s.2(*3*). Bom.Act4,1879,s.2(*3*). Bom.Act1,1892,s.4(*c*). Mad.Act4,1884,s.3(*xxxi*). Mad.Act5,1884,s.3(*xxx*) (*b*).
"PUBLIC VACCINE-STATION" defined	Ben.Act5,1880,s.14. Bom.Act1,1877,s.3. Bom.Act4,1879,s.3.
"PUBLIC WATER-CONVEYANCE" defined	Bom.Act6,1863,s.1.

[1] To be repealed by Act 2, 1911.

WORDS AND PHRASES—*contd.*

"PUBLIC WATER-COURSE" defined	Ben.Act6,1873,s.3. Ben.Act2,1882,s.3. Mad.Act4,1884,s.3(*xxxiv*).
"PUNJAB" defined	P.Act1,1898,s.2(*45*).
"PUNJAB ACT" defined	P.Act1,1898,s.2(*46*).
"PURCHASER" defined	Act30,1839,s.1.
"PURPOSE" (*See* PUBLIC PURPOSE).	
"PURPOSES" defined. *See* SUPPLY OF WATER FOR DOMESTIC PURPOSES.	
"QUALIFIED ACCEPTANCE" defined	Act26,1881,s.86,*expln.*
"QUALIFIED OFFICER" defined	44-5V.c.58,s.122(*b*).
"QUALIFYING TAX" defined	Bom.Act3,1888,s.11(*3*).
"QUARRY" defined	Act5,1886,s.3(*5*).
"QUASI-DHAREKARI" defined	Bom.Act1,1880,s.3(*7*).
"QUEEN" defined (*See also* HER MAJESTY)	Act45,1860,s.13, Act10,1897,s.3(*23*). Ben.Act1,1899,s.3(*20*). Bur.Act1,1898,s.2(*28*). P.Act1,1898,s.2(*25*).
"QUEEN'S COIN" defined (*See also* COIN)	Act45,1860,s.230.
"QUESTION OF FACT" defined	Act9,1872,ss.46,*expln.*, 48,*expln.*
"RAILWAY" defined	42-3V.c.41,s.1. 57-8V.c.12,s.2. Act11,1887,s.2. Act9,1890,ss.3(*4*),148(*1*). Act10,1895,s.2(*1*),(*2*). Ben.Act3,1899,s.3(*38*). Mad.Act4,1886,s.2. Mad.Act3,1904,s.3(*28*).
"RAILWAY-ADMINISTRATION" defined	Act9,1890,s.3(*6*).
"RAILWAY COMPANY" defined (*See also* INDIAN RAILWAY COMPANY)	42-3V.c.41,s.1. Act9,1890,s.3(*5*). Act10,1895,s.2(*3*).
"RAILWAY PROVIDENT FUND" defined	Act9,1897,s.2(*3*).
"RAILWAY SERVANT" defined	Act9,1890,ss.3(*7*),148(*2*).
"RAIYAT" defined (*See also* NON-OCCUPANCY-RAIYAT; OCCUPANCY-RAIYAT; SETTLED RAIYAT; UNDER-RAIYAT. *See also* RYOT)	Act8,1885,s.5(*2*).
"RAIYAT HOLDING AT FIXED RATE" defined	Act8,1885,s.4(*a*).
"RANGOON TOWN" defined	Act6,1900,s.2(*d*). Bur.Act1,1898,s.2(*49*).
"RAPE" defined	Act45,1860,s.375.
"RATE" defined (*See also* OCCUPIER'S RATE; OWNER'S RATE; RURAL POLICE-RATE)	Act9,1890,s.3(*13*). Ben.Act3,1884,s.15,prov. Bom.Act6,1879,s.3(*1*). Mad.Act2,1905,s.5(*11*).
"RATEABLE OWNER OR OCCUPIER" defined	Reg.1,1883,s.2.
"RATES AND CESSES" defined	Act16,1887,s.4(*11*). Act17,1887,s.3(*9*).
"RAWANA" defined	Ben.Act7,1864,s.3.
"REAL ESTATE" defined (*See also* IMMOVEABLE PROPERTY)	Act25,1838,s.1.

WORDS AND PHRASES—*contd.*

"REAL VALUE" defined	Act8,1878,s.30. Act2,1896,s.7(*2*),(*3*).
"REASON TO BELIEVE" defined (*See also* GOOD FAITH)	Act45,1860,s.26. Act15,1887,s.3(*6*). Act5,1892,s.2(*6*). Reg.3,1881,s.2. Reg.2,1888,s.2(*4*). Reg.4,1890,s.3(*5*).
"REASONABLE CAUSE FOR REMAND" defined	Act5,1898,s.344,*expln.*
"RECEIPT" defined	Act2,1899,s.2(*23*).
"RECIPROCAL PROMISE" defined	Act9,1872,s.2(*f*).
"RECLAIMED LAND" defined	Ben.Act6,1880,s.3.
"RECOGNIZED AGENT" defined	Act18,1881,s.4(*4*). Reg.1,1877,s.28.
"RECOGNIZED AGENT OF LANDLORD" defined	Act8,1885,s.145.
"RECOGNIZED AGENT OF PRINCE OR CHIEF" defined	Act5,1908,s.85.
"RECOGNIZED SHARE OF SURVEY-NUMBER" defined	Bom.Act5,1879,s.3(*7*).
"RECONSTRUCTION" defined	Mad.Act3,1904,s.3(*29*). Mad.Act2,1907,s.4.
"RECORD-OF-RIGHTS" defined	Act18,1881,s.4(*17*). Act11,1898,s.2(*1*). Ben.Act3,1895,s.2(*2*). P.Act1,1902,s.2(*g*).
"RECORDED LANDHOLDER" defined	Reg.1,1886,s.3(*i*).
"RECORDED PROPRIETOR" defined	Ben.Act7,1876,s.3(*9*). Ben.Act5,1897,s.3(*vi*). Reg.1,1886,s.3(*i*).
"RECORDED POSSESSION" defined	Reg.1,1886,s.3(*i*).
"RECORDED SHARER" defined	Reg.1,1886,s.3(*i*).
"RECRUIT" defined	[1]Act5,1869,Pt.1,cl.(*e*)(*9*).
"RECRUITER" defined	Act6,1901,s.2(*1*)(*o*). Act17,1908,s.2(*1*)(*viii*).
"RECRUITING DISTRICT" defined	Act6,1901,s.2(*1*)(*p*).
"RECTIFICATION" defined	Mad.Act1,1886,s.3(*19*).
"RE-ERECT" defined	Ben.Act3,1899,s.3(*39*). Ben.Act1,1900,s.4.
"RE-EXAMINATION" defined	Act1,1872,s.137.
"REGIMENTAL" defined	44-5V.c.58,s.190(*17*).
"REGISTER" defined	Bom.Act1,1892,s.4(*k*).
"REGISTERED" defined	Act1,1869,s.2. Act11,1876,s.3. Act2,1882,s.3. Act4,1882,s.3. Act8,1885,s.3(*18*). Act10,1885,s.1. Act22,1886,s.3(*14*). Act10,1897,s.3(*45*). Ben.Act1,1899,s.3(*34*). Ben.Act6,1908,s.3(*xxii*). Bom.Act1,1904,s.3(*37*). Bur.Act1,1898,s.2(*50*).

[1] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"REGISTERED" defined—*contd.*	E.B.&A.Act1,1909,s.5(*50*). Mad.Act1,1891,s.3(*28*). Mad.Act3,1896,s.2. P.Act1,1898,s.2(*47*). U.P.Act2,1901,s.4(*11*). U.P.Act1,1904,s.4(*35*).
"REGISTERED AND NOTIFIED INCUMBRANCE" defined	Act8,1885,s.161(*b*).
"REGISTERED HOLDER" defined	Mad.Act4,1897,s.3(*iv*),(*v*).
"REGISTERED MEDICAL PRACTITIONER" defined	49-50V.c.48,s.29.
"REGISTERED OCCUPANT" defined	Bom.Act5,1879,s.3(*17*).
"REGISTERED OCUPANT OF SURVEY-NUMBER" defined	Bom.Act1,1880,s.26.
"REGISTERED OFFICE OF COMPANY" defined	Act6,1882,s.243.
"REGISTERED TALUKDAR" defined	Bom.Act6,1888,s.2(*1*)(*b*).
"REGISTERING-OFFICER" defined	Act6,1901,s.2(*1*)(*q*). Act17,1908,s.2(*1*)(*ix*).
"REGISTRAR" defined	Ben.Act1,1876,s.2.
"REGISTRAR OF BIRTHS" defined	Bom.Act1,1892,s.4.(*j*).
"REGISTRAR OF BIRTHS AND DEATHS" defined	Act6,1886,s.3.
"REGISTRAR OF JOINT STOCK COMPANIES" defined	Act6,1882,s.255.
"REGISTRAR GENERAL OF BIRTHS, DEATHS AND MARRIAGES" defined	Act15,1872,s.3.
"REGISTRATION" defined	Bom.Act1,1892,s.4(*k*).
"REGULAR FORCES" defined	44-5V.c.58,s.190(*8*).
"REGULAR LINE OF STREET" defined	Ben.Act3,1899,s.350. Bom.Act3,1888,s.297(*2*).
"REGULATION" defined	Act10,1897,s.3(*46*). Ben.Act1,1899,s.3(*35*). Bom.Act1,1904,s.3(*38*). Bur.Act1,1898,s.2(*51*). E.B.&.A.Act1,1905,s.5 (*51*). U.P.Act1,1904,s.4(*36*). Ben.Reg.7,1828,s.25.
"REGULATIONS OF COMPANY" defined	Act6,1882,s.76.
"RELATIONSHIP" defined. *See* KINDRED; NEXT-OF-KIN.	
"RELEASE" defined. *See* IMPLIED RELEASE.	
"RELEVANT" defined	Act1,1872,s.3.
"RELIEF" defined. *See* PREVENTIVE RELIEF.	
"REMEDY" defined	Act3,1906,s.2(*d*).
"REMISSION SYSTEM" defined	Act9,1894,s.3(*5*).
"REMODELLED BASTI" defined	Ben.Act3,1899,s.418.
"REMOVAL" defined	Bom.Act2,1890,s.3(*o*).
"REMUNERATION" defined. *See* LEGAL REMUNERATION.	
"RENT" defined (*See also* ARREAR OF RENT; WATER-RENT)	Act18,1881,s.4(*15*). Act4,1882,s.105. Act8,1885,s.3(*5*)(am. Ben.Act1,1907,s.4). Act22,1886,s.3(*5*). Act16,1887,s.4(*3*). Act17,1887,s.3(*4*). Act11,1898,s.2(*8*). Ben.Act5,1897,s.3(*xiv*).

WORDS AND PHRASES—*contd.*

"RENT" defined—*contd.* (*See also* ARREAR OF RENT; WATER-RENT).	Ben.Act6,1908,s.3(*xxiii*). Mad.Act1,1908,s.3(*11*) (pt.rep.Mad.Act4,1909, s.2). U.P.Act2,1901,s.4(*3*). U.P.Act3,1904,s.2(*4*).
"RENT-FREE GRANTEE" defined	U.P.Act2,1901,s.4(*8*).
"REPAIRS" defined	Act2,1902,s.2(*1*)(*g*).
"REPRESENTATION" defined	56.V.c.5,s.29. 57-8V.c.60,s.742.
"REPRESENTATIVE" defined (*See also* AGENT; LEGAL PERSONAL REPRESENTATIVE; LEGAL REPRESENTATIVE; PERSONAL REPRESENTATIVE)	56Vc.5,s.29. Act16,1908,s.2. Act22,1886,s.3(*12*).
"REPRESENTATIVE OF THE GOVERNMENT OF INDIA" defined	Act1,1872,s.86.
"REPRESENTATIVE LEGISLATURE" defined	53-4V.c.27,s.15.
"REPRESENTATIVE MATADAR" defined	Bom.Act6,1887,s.2(*5*).
"REPRESENTATIVE WATANDAR" defined	Bom.Act3,1874,s.4.
"RESERVED FOREST" defined	Act7,1878,s.19. Bur.Act4.1902,s.3(*11*). Reg.6,1893,s.2(*6*).
"RESIDE" defined	Ben.Act3,1899,s.3(*40*). Bom.Act3,1888,s.3(*n*).
"RESIDENCE" defined	Mad.Act3,1904,s.3(*30*).
"RESIDENCE OUT OF BRITISH INDIA" defined	Act5,1908,Sch.1,O.25s.1(*2*).
"RESIDENT" defined	Act2,1864,s.1. Bom.Act1,1883,s.3. Reg.11,1887,s.2(*4*).
"RESOLUTION" defined. *See* SPECIAL RESOLUTION.	
"RESTRAINT" defined. *See* WRONGFUL RESTRAINT.	
"RESUMABLE TENURE" defined	Ben.Act6,1908,s.3(*xxiv*).
"RETAIL" defined	Act12,1896,s.3(*n*).
"RETAIL SALE" defined	Act4,1857,s.12. Ben.Act5,1909,s.5. E.B.&A.Act1,1910,s.6.
"REVENUE" defined (*See* also LAND-REVENUE; PUBLIC REVENUES; SALT-REVENUE; WATER-REVENUE)	Act23,1850,s.12. Act12,1851,s.16. Act22,1886,s.3(*4*). Ben.Act7,1868,s.1. Mad.Act6,1867,s.1. U.P.Act3,1901,s.4(*7*). Reg.1,1899,s.3(*10*). Reg.3,1889,s.37(*1*).
"REVENUE COURT" defined	Act16,1887,s.4(*11*). Act5,1908,s.5(*2*). U.P.Act3,1901,s.4(*8*).
"REVENUE-FIELD" defined	Mad.Act1,1908,s.3(*12*).
"REVENUE-FREE" defined	U.P.Act3,1901,s.4(*10*).
"REVENUE-FREE PROPERTY" defined	Ben.Act7,1876,s.3(*10*).
"REVENUE-OFFICE" defined	Act18,1879,s.3. Mad.Act1.1904,s.3(*31*).

WORDS AND PHRASES—*contd.*

"REVENUE-OFFICER" defined (*See also* CHIEF CONTROLLING REVENUE-AUTHORITY; CHIEF REVENUE-AUTHORITY; COMMISSIONER OF REVENUE; SALT REVENUE-OFFICER)	Act1,1872,s.125,*expln*. Act2,1876,s.3(*b*). Act10,1876,s.3. Act2,1880,s.2. Act8,1885,s.3(*17*). Act16,1887,s.4(*14*). Act17,1887,s.3(*12*). Act11,1898,s.2(*9*). Ben.Act6,1908,s.3(*xxv*). Bom.Act5,1879,s.3(*1*). Bur.Act4,1898,s.4(*6*). Mad.Act1,1908,s.3(*13*). U.P.Act3,1901,s.4(*9*). Reg.2,1877,s.2(*c*). Reg.1,1899,s.3(*1*).
"REVENUE-SURVEY" defined	Bom.Act5,1879,s.95.
"REVENUE-YEAR" defined	Mad.Act1,1908,s.3(*14*). Bom.Act5,1879,s.3(*21*).
"REVOCATION" defined	Act10,1865,s:57,*illn*.
"REVOKED LICENSE" defined	Act5,1882,s.62.
"REWARD" defined. *See* MILITARY REWARD; MOTIVE OR REWARD FOR DOING.	
"RIGHT" defined. *See* ACCESSORY RIGHT; CONTINGENT RIGHT; GENERAL CUSTOM OR RIGHT; PRESCRIPTIVE RIGHT; PROPRIETARY RIGHT; UNDER-PROPRIETARY RIGHT; RECORD-OF-RIGHTS.	
"RIGHT-HOLDER" defined	P.Act1,1902,s.2(*e*). Reg.4,1898,s.3(*3*).
"RIGHT OF PRE-EMPTION" defined	Act18,1876,s.6. P.Act2,1905,s.4. Reg.3,1877,s.6.
"RIGHT TO REDEEM" defined	Act4,1882,s.60.
"RIOTING" defined	Act45,1860,s.146.
"RIVER" defined	Act7,1878,s.2. Ben.Act4,1887,s.2. Bur.Act4,1902,s.3(*12*). Mad.Act5,1882,s.2. Reg.7,1891,s.3(*7*).
"ROAD" defined (*See also* PUBLIC ROAD; PUBLIC STREET; STREET)	Act11,1886,s.3(*2*). Ben.Act5,1876,s.6(*15*). Ben.Act3,1883,s.2. Ben.Act3,1884,s.6(*13*). Bom.Act1,1874,s.2. Mad.Act5,1884,s.3(*xxiii*).
"ROAD-AUTHORITY" defined	Act11,1886,s.3(*3*).
"ROAD-PATROL" defined	Ben.Act5,1887,s.2.
"ROBBERY" defined	Act45,1860,s.390.
"ROLLING-STOCK" defined	Act9,1890,s.3(*10*).
"ROMAN CATHOLIC" defined	Act15,1872,s.3.
"RUBBISH" defined	Ben.Act5,1876,s.6(*16*). Ben.Act3,1884,s.6(*14*). Ben.Act3,1899,s.3(*41*). Mad.Act3,1904,s.3(*32*).

WORDS AND PHRASES—*contd.*

"RULES" defined (*See also* BYE-LAW; MINT RULES) . . . Act20,1891,s.3(*9*). Act10,1897,s.3(*47*). Ben.Act1,1899,s.3(*36*). Bom.Act1,1904,s.3(*39*). Bur.Act1,1898,s.2(*52*). Bur.Act6,1907,s.4(*2*). E.B.&A.Act1,1909,s.5(*52*). P.Act1,1898,s.2(*48*). U.P.Act1,1904,s.4(*37*).

"RYOT" defined (*See also* RAIYAT) . . . Mad.Act1,1908,s.3(*15*).

"RYOTI LAND" defined . . . Mad.Act1,1908,s.3(*16*).

"SALARIED OFFICE" defined . . . Mad.Act5,1884,s.3(*viii*).

"SALARIED SERVANT OF GOVERNMENT" defined . . . Ben.Act3,1885,s.5. Bom.Act1,1884,s.3(*3*).

"SALARY" defined . . . Act2,1886,s.3(*4*). Mad.Act4,1884,s.3(*x*).

"SALE" defined (*See also* MORTGAGE BY CONDITIONAL SALE; MORTGAGEE BY CONDITIONAL SALE; RETAIL; RETAIL SALE; SELLING; WHOLESALE) . . . Act9,1872,s.77. Act4,1882,s.54. Mad.Act3,1864,s.2. Mad.Act1,1886,s.3(*14*).

"SALINE SUBSTANCE" defined . . . Mad.Act4,1889,s.3(*c*).

"SALT" defined (*See also* KOHAT SALT; MANUFACTURE OF SALT; NATURAL SALT) . . . Ben.Act7,1864,s.3. Bom.Act2,1890,s.3(*c*). Mad.Act4,1889,s.3(*b*). Reg.3,1889,s.33(*i*).

"SALT IN POSSESSION OF SERVANT OR AGENT" defined . . . Ben.Act7,1864,s.3.

"SALT-EARTH" defined . . . Bom.Act2,1890,s.3(*f*). Mad.Act4,1889,s.3(*d*).

"SALT-FACTORY" defined . . . Mad.Act4,1889,s.3(*i*).

"SALTPETRE" defined . . . Act12,1882,s.3. Mad.Act4,1889,s.3(*e*). Reg.3,1889,s.33(*1*).

"SALT-REVENUE" defined . . . Mad.Act4,1889,s.3(*a*).

"SALT-REVENUE-OFFICER" defined . . . Act12,1882,s.3. Bom.Act2,1890,s.3(*c*).

"SALT-WORK" defined (*See also* PRIVATE SALT-WORK; SEPARATE SALT-WORK) . . . Ben.Act7,1864,s.3. Bom.Act2,1890,s.3(*h*). Mad.Act4,1889,s.3(*j*).

"SALVAGE" defined . . . 57-8V.c.60,s.510(*2*).

"SALVOR" defined . . . 57-8V.c.60,s.742.

"SAMBANDHAM" defined . . . Mad.Act4,1896,s.2.

"SANITARY BOARD" defined . . . Ben.Act3,1884,s.6(*14A*).

"SANITARY COMMISSIONER" defined . . . Ben.Act1,1892,s.4(*i*). U.P.Act2,1892,s.2(*b*).

"SARAI" defined . . . Act22,1867,s.2.

"SCAVENGER" defined . . . Mad.Act4,1884,s.3(*xxiv*).

"SCAVENGING" defined. *See* "HOUSE-SCAVENGING."

"SCHEDULE" defined . . . Act10,1897,s.3(*48*). Ben.Act1,1899,s.3(*37*). Bom.Act1,1904,s.3(*40*). Bur.Act1,1898,s.2(*53*). E.B.&A.Act1,1910,s.5(*53*). P.Act1,1898,s.2(*49*). U.P.Act1,1904,s.4(*38*).

WORDS AND PHRASES—*contd.*

"SCHEDULED CANAL" defined . . . . . Reg.4,1898,s.3(*2*).

"SCHEDULED DISTRICT" defined . . . . . Act14,1874,s.1.
Act15,1874,s.2.
Act10,1897,s.3(*49*).
Ben.Act1,1899,s.3(*38*).
Bom.Act1,1904,s.3(*41*).
Bur.Act1,1898,s.2(*54*).
E.B.&A.Act1,1909,s.5(*54*).
P.Act1,1898,s.2(*50*).
U.P.Act1,1904,s.4(*39*).

"SCULPTURE" defined. *See* ARTICLES OF SCULPTURE.

"SEA POLICY" defined. *See* "POLICY OF SEA INSURANCE."

"SEAMAN" defined . . . . . 57-8V.c.60,s.742.
Act1,1859,s.118.
Act13,1876,s.2.
Act5,1883,s.29(*3*).

"SECOND COUSIN" defined . . . . . Act10,1865,s.86.

"SECOND-IN-COMMAND" defined . . . . . Act15,1887,s.3(*5*).
Act5,1892,s.2(*5*).
Reg.2,1888,s.2(*3*).

"SECONDARY EVIDENCE" defined . . . . . Act1,1872,s.63.

"SECRETARY" defined . . . . . Act5,1873,s.3.
Act11,1876,s.3.
[1]Act5,1888,ss.4(*3*),50(*4*).
Bom.Act13,1866,s.6.

"SECRETARY OF STATE" defined . . . . . 10Edw.7,c.5,s.2.

"SECTION" defined . . . . . Act10,1897,s.3(*50*).
Ben.Act1,1899,s.3(*39*).
Bom.Act1,1904,s.3(*42*).
Bur.Act1,1898,s.2(*55*).
E.B.&A.Act1,1909,s.5(*55*).
Mad.Act1,1891,s.3(*4*).
P.Act1,1898,s.2(*51*).
U.P.Act1,1904,s.4(*40*).

"SECURED CREDITOR" defined . . . . . Act3,1907,s.2(*f*).
Act3,1909,s.2(*g*).
Ben.Act3,1904,s.2(*1*)(*l*).

"SECURED DEBT" defined . . . . . Ben.Act3,1904,s.2(*1*)(*j*).

"SECURITY" defined (*See also* CURRENCY NOTE; GOVERNMENT SECURITY; INSUFFICIENT SECURITY; PROMISSORY NOTE; PUBLIC SECURITIES; VALUABLE SECURITY) . . . Act7,1889,s.3(*2*).

"SELLER'S LIEN" defined . . . . . Act9,1872,s.95.

"SELLING" defined. (*See also* SALE) . . . . . Mad.Act3,1864,s.2.
Mad.Act1,1886,s.3(*14*).

"SENIOR HEIR" defined . . . . . Bom.Act6,1887,s.2(*6*).

"SENTENCE OF IMPRISONMENT" defined . . . . . 47-8V.c.31,s.18.

"SEPARATE CONFINEMENT" defined . . . . . Act9,1894,s.46(*8*),*expln.*

"SEPARATE ESTATE" defined . . . . . Ben.Act5,1897,s.3(*xii*).

"SEPARATE PROPERTY" defined . . . . . Act3,1874,s.4.

"SEPARATE SALT-WORK" defined . . . . . Ben.Act7,1864,s.5.

"SEPARATE SCHEME" defined . . . . . Ben.Act6,1880,s.54.

"SEPARATE VILLAGE-CHANNEL" defined . . . . . Ben.Act3,1876,s.47.

[1] To be repealed by Act 2. 1911.

WORDS AND PHRASES—*contd.*

"SER" defined . . . . . Act31,1871,s.2. Act12,1896,s.3(*m*). Ben.Act7,1864,s.3. Bom.Act5,1878,s.3(*12*).

"SERVANT" defined. *See* EXPECTING TO BE A PUBLIC SERVANT; PUBLIC SERVANT; RAILWAY SERVANT; SALARIED SERVANT OF GOVERNMENT.

"SERVANT OF THE QUEEN" defined . . . . . Act45,1860,s.14.

"SERVICE" defined. *See* ACTIVE SERVICE; MILITARY SERVICE; NAVAL SERVICE.

"SERVICE BY POST" defined . . . . . 52-3V.c.63,s.26.

"SERVICE LINE" defined . . . . . Act9,1910,s.2(*l*).

"SERVICE PRIVY" defined . . . . . Ben.Act3,1899,s.3(*42*).

"SERVIENT HERITAGE" defined . . . . . Act5,1882,s.4.

"SERVIENT OWNER" defined . . . . . Act5,1884,s.4.

"SESSIONS DIVISION" defined . . . . . Act5,1898,s.7.

"SETTLED ESTATE" defined . . . . . Ben.Act3,1904,s.2(*1*)(*b*). U.P.Act2,1900,s.2.

"SETTLED RAIYAT" defined . . . . . Act8,1885,s.20(*1*).

"SETTLEMENT" defined (*See also* PERMANENT SETTLEMENT) . Act1,1877,s.3,*illn*. Act2,1899,s.2(*24*). U.P.Act3,1901,s.4(*11*).

"SETTLEMENT OF LAND-REVENUE" defined . . . . . Act8,1885,s.110,*expln*.

"SETTLEMENT-HOLDER" defined . . . . . Reg.1,1886,s.3(*h*).

"SETTLEMENT-OFFICER" defined . . . . . Ben.Act8,1879,s.3. Ben.Act9,1880,s.4[ins. Ben.Act4,10,1910,s.2(*3*)].

"SETTLOR" defined . . . . . Ben.Act3,1904,s.2(*1*)(*c*).

"SEWAGE" defined . . . . . Ben.Act3,1884,s.6(*17*). Ben.Act3,1899,s.3(*43*). Bur.Act3,1898,s.2(*9*). Mad.Act3,1904,s.3(*34*). U.P.Act3,1894,s.3(*5*).

"SHALL PRESUME" defined . . . . . Act1,1872,s.4.

"SHAN STATE" defined . . . . . Act13,1898,s.3(*e*). Act6,1900,s.2(*e*). Bur.Act1,1898,s.2(*56*).

"SHARE" defined . . . . . 46-7V.c.30,s.2. Act11,1876,s.3.

"SHARE IN A CORPORATION" defined . . . . . Act5,1908,s.2(*19*).

"SHAREHOLDER" defined (*See also* RECORDED CO-SHARER; RECORDED SHARER) . . . Act11,1876,s.3.

"SHIFTING CULTIVATION" defined . . . . . Bur.Act4,1902,s.3(*13*).

"SHIP" defined (*See also* BRITISH INDIAN SHIP; BRITISH SHIP; BRITISH STEAMSHIP; COASTING SHIP; COASTING STEAMER; COASTING VESSEL; FOREIGN-GOING SHIP; FOREIGN SHIP; HOME-TRADE PASSENGER SHIP; HOME-TRADE SHIP; PILGRIM SHIP; STEAMER; STEAMSHIP; VESSEL) . . . 33-4V.c.90,s.30 41-2V.c.73,s.7. 57-8V.c.60,s.742. 6Edw.7,c.58,s.13. Act7,1880,s.2. Act5,1883,s.3. Act10,1887,s.5(*1*). Act10,1897,s.3(*51*). Act8,1899,s.2(*f*).

WORDS AND PHRASES—*contd.*

"SHIP" defined—*contd.* (*See also* BRITISH INDIAN SHIP; BRITISH SHIP; BRITISH STEAMSHIP; COASTING SHIP; COASTING STEAMER; COASTING VESSEL; FOREIGN-GOING SHIP; FOREIGN SHIP; HOME-TRADE PASSINGER SHIP; HOME-TRADE SHIP; PILGRIM SHIP; STEAMER; STEAMSHIP; VESSEL) . . . Act15,1908,*Sch.1,Pt.2, expln.1(a)*. Ben.Act1,1899,s.3(*40*) Bom.Act1,1904,s.3(*43*). Bur.Act1,1898,s.2(*57*). E.B.&A.Act1,1909,s.5(*56*). P.Act1,1898,s.2(*52*).

"SHIP AND EQUIPMENT" defined . . . . . 33-4V.c.90,s.30.

"SHIP OF A FOREIGN STATE" defined (*See also* VESSEL OF A FOREIGN STATE) . 54-5V.c.31,s.9.

"SHOP" defined . . . . . Mad.Act3,1864,s.2. Bur.Act4,1899,s.5(*3*).

"SHORT VOYAGE" defined . . . . . Act10,1887,s.5(*4*).

"SIDDHI" defined . . . . . Ben.Act5,1909,s.3. E.B.&A.Act1,1910,s.5.

"SIGN" defined . . . . . Act1,1869,s.2(sub.U.P. Act3,1910,s.2). Act6,1886,s.3. Act10,1897,s.3(*52*). Act6,1901,s.2(*1*)(*r*). Ben.Act1,1899,s.3(*41*). Bom.Act4,1902,s.3(*f*). Bom.Act1,1904,s.3(*44*). Bur.Act1,1898,s.2(*58*). E.B.&A.Act1,1909,s.5(*57*). Mad.Act1,1891,s.3(*29*). P.Act1,1898,s.2(*53*). U.P.Act1,1904,s.4(*41*).

"SIGNATURE" defined . . . . . Act6,1901,s.2(*1*)(*r*).

"SIGNED" defined . . . . . Act8,1885,s.3(*14*). Act22,1886,s.3(*15*). Act5,1908,s.2(*20*). Act9,1908,s.19,*expln.*2. Mad.Act1,1908,s.3(*17*).

"SIMPLE MORTGAGE" defined . . . . . Act4,1882,s.58(*b*).

"SIMPLE MORTGAGEE" defined . . . . . Act4,1882,s.58(*b*).

"SIND SAGAR DOAB" defined . . . . . P.Act1,1902,s.1(*2*).

"SIR" defined . . . . . U.P.Act3,1901,s.4(*12*),(*13*).

"SIR-LAND" defined . . . . . Act18,1881,s.4A. Act11,1898,s.2(*1*).

"SKETCH" defined . . . . . 52-3V.c.52,s.8. Act15,1889,s.2(*5*).

"SKY SIGN" defined . . . . . Ben.Act3,1899,s.3(*44*).

"SLAUGHTER-HOUSE" defined (*See also* MUNICIPAL SLAUGHTER-HOUSE; PRIVATE SLAUGHTER-HOUSE) . . . . Ben.Act3,1899,s.3(*45*). Mad.Act3,1904,s.3(*35*).

"SLAVE COURT" defined . . . . . 36-7V.c.88,s.2.

"SLAVE TRADE" defined . . . . . 36-7V.c.88,s.2.

"SMALL CAUSE" defined . . . . . Act18,1884,s.3(*1*). Act6,1900,s.2(*f*). Reg.7,1901,s.2(*1*)(*e*).

"SMALL CAUSE COURT" and "COURT OF SMALL CAUSES" defined . . . . . Act15,1882,s.4. Act9,1887,s.4. Act7,1892,s.2(*4*). Bom.Act3,1888,s.3(*l*).

WORDS AND PHRASES—*contd.*

"SOLDIER" defined	44-5V.c.58,s.190(*6*). Act45,1860,s.131,*expln.* [1] Act5,1869,Pt.1,cl.(*e*)(*8*). Act2,1874,s.3. Act15,1910,s. 2(*b*).
"SOLITARY CONFINEMENT" defined	Act9,1894,s.46(*11*),*expln.*
"SON" defined (*See also* CHILD)	Act10,1865,s.87. Act1,1869,s.21. Act21,1870,s.6. Act10,1897,s.3(*53*). Ben.Act1,1899,s.3(*42*). Ben.Act3,1904,s.2(*1*)(*h*). Bom.Act1,1904,s.3(*45*). Bur.Act1,1898,s.2(*59*). E.B.&A.Act1,1909,s.5(*58*). Mad.Act1,1891,s.3(*30*). P.Act1,1898,s.2(*54*). U.P.Act1,1904,s.4(*42*).
"SOURCE OF INCOME" defined	Act2,1886,s.24(*1*).
"SPECIAL AGREEMENT" defined	Act22,1886,s.71.
"SPECIAL COMMISSIONER" defined	Ben.Act2,1869,s.1.
"SPECIAL LAW" defined	Act45,1860,s.41.
"SPECIAL MAGISTRATE" defined	Act5,1898,s.14.
"SPECIAL MEETING" defined	Act1,1876,s.3.
"SPECIAL RESOLUTION" defined	Act11,1876,s.3. Act6,1882,s.77.
"SPECIFIC LEGACY" defined	Act10,1865,s.129. Act5,1881,s.3.
"SPIRIT" defined (*See also* LIQUOR)	Act12,1896,s.3(*i*). Ben.Act5,1909,s.2(*19*). E.B.&A.Act1,1910,s.3(*19*). Mad.Act1,1886,s.3(*8*). U.P.Act4,1910,s.3(*8*).
"SPIRITUOUS LIQUOR" defined	Act15,1910,s.2(*c*).
"STAGE-CARRIAGE" defined	Act16,1861,s.1. Ben.Act2,1891,s.3(*4*).
"STAMP" defined. *See* FICTITIOUS STAMP; POSTAGE STAMP.	
"STAMPED" defined. *See* DULY STAMPED.	
"STANDING COMMITTEE" defined	Mad.Act3,1904,s.3(*36*).
"STANDING CROPS" defined	Act17,1879,s.2(*6th*).
"STATE FOREST" defined	Reg.5,1890,s.2(*2*).
"STATE LAND" defined	Bur.Act4,1898,s.4(*1*). Reg.3,1889,s.23.
"STATION" defined (*See also* POLICE-STATION)	Ben.Act5,1876,s.6(*20*).
"STATUTE ADULT" defined	57-8V.c.60,s.268(*2*).
"STEAMER" defined (*See also* COASTING STEAMER; FOREIGN STEAMER; PASSENGER STEAMER)	Act15,1908,Sch.1,Pt.2, *expln.*1(*a*).
"STEAMSHIP" defined (*See also* BRITISH STEAMSHIP)	Act7,1884,s.3(*1*). Bur.Act8,1907,s.2(*2*).
"STEAMVESSEL" defined (*See also* INLAND STEAMVESSEL)	Act6,1884,s.5(*2*).
"STEERAGE PASSAGE" defined	57-8V.c.60,s.268(*4*).
"STEERAGE PASSENGER" defined	57-8V.c.60,s.268(*3*).

[1] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"STOCK" defined (*See also* CAPITAL STOCK; INDIA STOCK) . . . Act27,1866,s.2. Act11,1876,s.56.

"STOLEN PROPERTY" defined . . . . . Act45,1860,s.410. Bur.Act6,1907,s.4(*3*).

"STONE" defined . . . . . Reg.12,1887,s.2(*1*).

"STONE-TRACT" defined . . . . . Reg.12,1887,s.2(*2*).

"STORES" defined. *See* MILITARY STORES.

"STREAM" defined. *See* NATURAL STREAM.

"STREAM-EMBANKMENT" defined . . . . . Reg.8,1887,s.2(*2*).

"STREET" defined (*See also* PRIVATE STREET; PUBLIC ROAD; PUBLIC STREET; ROAD) . . . . Act5,1857,s.27. Act19,1884,s.2(*2*). Act11,1890,s.2(*2*). Act20,1891,s.3(*4*). Act16,1903,s.2(*c*). Act9,1910,s.2(*m*). Ben.Act2,1866,s.51(ins. Ben.Act3,1910,s.4). Ben.Act4,1866,s.3(ins. Ben.Act3,1910,s.4). Ben.Act3,1899,s.3(*46*). Bom.Act5,1863,s.28. Bom.Act3,1888,s.3(*w*). Bom.Act4,1890,s.3(*e*). Bom.Act3,1901,s.3(*12*). Bom.Act4,1902,s.3(*i*). Bur.Act3,1898,s.2(*12*). Mad.Act4,1884,s.3(*xxvii*). Mad.Act5,1884,s.3(*ix*). U.P.Act1,1891,s.2(*b*). U.P.Act3,1894,s.3(*3*). U.P.Act1,1900,s.3(*4*). Reg.5,1886,s.2(*5*). Reg.2,1907,s.2(*c*). Reg.5,1910,s.2(*x*).

"STREET ALIGNMENT" defined . . . . . Ben.Act3,1899,s.3(*47*). Mad.Act3,1904,s.3(*37*).

"SUB-AGENT" defined Act9,1872,s.191

"SUB-COLLECTOR" defined . . . . . Bom.Act3,1869,s.13.

"SUB-CONTRACTOR" defined . . . . . Act6,1901,s.2(*1*)(*s*).

"SUB-DISTRICT" defined . . . . . Act16,1908,s.5.

"SUB-DIVISION" defined . . . . . Act5,1898,s.4(*u*).

"SUB-DIVISIONAL CANAL-OFFICER" defined . . . . Act8,1873,s.3(*8*). Bur.Act2,1905,s.3(*9*).

"SUB-DIVISIONAL MAGISTRATE" defined . . . . Act5,1898,s.13.

"SUB-DIVISIONAL OFFICER" defined . . . . . Bur.Act6,1907,s.4(*4*).

"SUBJACENT AND ADJACENT SOIL" defined . . . . Act5,1882,s.7,*expln.* to *illn.*(*e*).

"SUB-LAMBARDAR" defined . . . . . Act18,1881,s.4(*12*).

"SUBORDINATE" defined . . . . . Act24,1859,s.1(am.Mad. Act3,1909,s.2).

"SUBORDINATE COURT" defined . . . . . Act18,1879,s.3.

"SUBORDINATE JUDGE" defined . . . . . Act3,1873,s.8. U.P.Act2,1896,s.3(*3*).

WORDS AND PHRASES—*contd.*

"SUBORDINATE MAGISTRATE, FIRST CLASS"; construction of references to . . . . . Act5,1898,s.3..

"SUBORDINATE MAGISTRATE, SECOND CLASS"; construction of references to . . . . . Act5,1898,s.3.

"SUBSIDIARY WORKS" defined . . . . . P.Act3,1905,s.3(*xi*).

"SUBSTANTIAL DAMAGE" defined . . . . . Act5,1882,s.33,*expln.1*..

"SUB-SECTION" defined . . . . . Act10,1897,s.3(*54*).
Ben.Act1,1899,s.3(*43*).
Bom.Act3,1888,s.3(*dd*).
Bom.Act1,1904,s.3(*46*).
Bur.Act1,1898,s.2(*60*).
E.B.&A.Act1,1909,s.5(*59*)..
Mad.Act1,1891,s.3(*31*).
P.Act1,1898,s.2(*55*).
U.P.Act1,1904,s.4(*43*)..

"SUBSIDY" defined . . . . . 54-5V.c.31,s.9.

"SUB-TENANT" defined . . . . . Act18,1881,s.4..
Act11,1898,s.59..
U.P.Act2,1901,s.4(7)..

"SUBURBS OF BOMBAY" defined. *See* TOWN AND SUBURBS OF BOMBAY.

"SUCCESSION" defined . . . . . Act8,1885,s.3(*13*).

"SUCCESSOR IN OFFICE" defined . . . . . Act6,1890,s.11..

"SUFFICIENT REASON" defined . . . . . Act11,1886,s.43.

"SUIT" defined (*See also* LAND-SUIT; PROSECUTING A SUIT; UNCLASSED SUIT) . . . . . Act9,1908,s.2(*10*)..
Act22,1886,s.3(*2*)..

"SUIT FOR FORECLOSURE" defined . . . . . Act4,1882,s.67..

"SUIT FOR REDEMPTION" defined . . . . . Act4,1882,s.60..

"SUIT OF A CIVIL NATURE" defined . . . . . Act5,1908,s.9,*expln.*

"SUMMONS-CASE" defined . . . . . Act5,1898,s.4(*v*)..

"SUPERANNUATION ALLOWANCE" defined . . . . . 55-6V.c.40,s.4..

"SUPERINTENDENT" defined . . . . . 57-8V.c.60,s.742.
Act6,1901,s.2(*1*)(*t*).
Ben.Act1,1887,s.2.
Bur.Act2,1898,s.3(*2*)..
Reg.3,1881,s.2.
Reg.1,1894,s.10(*b*).
Reg.5,1896,s.2(*1*).

"SUPERINTENDENT OF VACCINATION" defined . . . . Bur.Act6,1908,s.5..

"SUPERINTENDING CANAL-OFFICER" defined . . . . . Act8,1873,s.3(7)..
Bur.Act2,1905,s.3(7)..

"SUPERIOR COURT" defined . . . . . 22-3V.c.63,s.5.
24V.c.11,s.4..
44-5V.c.58,s.190(*29*)..
44-5V.c.69,s.39..

"SUPERIOR HOLDER" defined . . . . . Bom.Act2,1876,s.3(*4*).
Bom.Act5,1879,s.3(*13*)..

"SUPERIOR OFFICER" defined . . . . . 44-5V.c.58,s.190(7).
[1]Act5,1869,Pt.1,cl.(*c*)(7).
Act14,1887,s.2(*1*)(*c*).
Act15,1887,s.5(*2*).
Act5,1892,s.4(*2*).
Reg.2,1888,s.4(*2*).

[1] To be repealed by Act 8, 1911.

WORDS AND PHRASES—*contd.*

"SUPPLY OF WATER FOR DOMESTIC PURPOSES" defined	Act19,1884,s.2(*8*). Ben.Act3,1899,s.3(*15*). U.P.Act1,1891,s.2(*f*).
"SURETY" defined	Act9,1872,s.126.
"SURVEY" defined (*See also* BOMBAY CITY SURVEY; REVENUE-SURVEY)	Ben.Act5,1875,s.2. Ben.Act1,1887,s.2. Mad.Act4,1897,s.3(*vi*).
"SURVEY-MARK" defined	Act5,1880,s.1A. Act17,1887,s.3(*17*). Mad.Act4,1897,s.3(*vii*). Reg.1,1899,s.3(*8*).
"SURVEY-BOUNDARY-MARK" defined	Bom.Act2,1876,s.3(*3*).
"SURVEY-NUMBER" defined	Act18,1881,s.4(*6a*). Act11,1898,s.2(*1*). Bom.Act5,1879,s.3(*6*).
"SURVEY-OFFICER" defined	Bom.Act5,1879,s.3(*2*).
"SURVEYOR" defined. *See* LICENSED SURVEYOR.	
"SWEAR" defined (*See also* AFFIDAVIT; OATH)	44-5V.c.58,s.190(*28*). 52V.c.10,s.11. 52-3V.c.63,s.3. Act10,1897,s.3(*55*). Ben.Act1,1899,s.3(*44*). Bom.Act1,1904,s.3(*47*). Bur.Act1,1898,s.2(*61*). E.B.&A.Act1,1909,s.5(*60*). Mad.Act1,1891,s.3(*20*). P.Act1,1898,s.2(*56*). U.P.Act1,1904,s.4(*44*).
"TAHSILDAR" defined (*See also* CIRCLE TAHSILDAR)	Mad.Act1,1908,s.3(*18*). Reg.1,1894,s.10(*h*).
"TALUK" defined (*See also* DEPENDENT TALUK; INDEPENDENT TALUK)	Bom.Act1,1884,s.3(*4*). Mad.Act5,1884,s.3(*xxvi*).
"TALUKDAR" defined (*See also* REGISTERED TALUKDAR; TALUKDAR, THAKUR OR JAGIRDAR)	Act1,1869,s.2. Act24,1870,s.2. Bom.Act6,1888,ss.2(*1*)(*a*),2(*2*). U.P.Act3,1901,s.4(*14*).
"TALUKDAR, THAKUR OR JAGIRDAR" defined	Reg.4,1872,s.1.
"TALUKA" or "TALUQA" defined	U.P.Act3,1899,s.3(*3*). U.P.Act3,1901,s.4(*14*).
"TALUQDARI MAHAL" defined	U.P.Act3,1901,s.4(*14*).
"TANK" defined	Reg.8,1887,s.(*4*).
"TARI" defined (*See also* LIQUOR)	Act12,1896,s.3(*g*). Ben.Act5,1909,s.2(*20*). E.B.&A.Act1,1910,s.3(*20*). U.P.Act4,1910,s.3(*6*).
"TARWAD" defined	Mad.Act4,1896,s.2.
"TAX" defined (*See also* ARREAR OF TAX; PROPERTY-TAX; QUALIFYING TAX)	Act16,1903,s.2(*f*). Bom.Act3,1888,s.3(*p*). Bom.Act3,1901,s.3(*14*). Reg.2,1907,s.2(*f*).
"TELEGRAPH" defined	Act13,1885,s.3(*1*).
"TELEGRAPH-AUTHORITY" defined	Act13,1885,s.3(*6*).

WORDS AND PHRASES—*contd.*

"TELEGRAPH-LINE" defined	Act13,1885,s.3(*4*).
"TELEGRAPH-OFFICER" defined	Act13,1885,s.3(*2*).
"TEMPORARY INJUNCTION" defined	Act1,1877,s.53.
"TEMPORARILY-SETTLED ESTATE" defined	Reg.1,1866,s.3(*d*).
"TENANCY" defined	Act16,1887,s.4(*8*). Act17,1887,s.3(*4*).
"TENANT" defined (*See also* ABSOLUTE OCCUPANCY-TENANT; EX-PROPRIETARY TENANT; OCCUPANCY-TENANT; ORDINARY TENANT; RAIYAT; SUB-TENANT; UNDER-TENANT; VILLAGE-SERVICE-TENANT)	Act18,1881,s.4(*14*). Act8,1885,s.3(*3*). Act22,1886,s.3(*10*). Act16,1887,s.4(*5*),(*7*). Act17,1887,s.3(*4*). Act11,1898,s.2(*10*). Ben.Act6,1908,s.3(*xxvi*). Mad.Act5,1884,s.3(*xxvii*). Mad.Act1,1900,s.3(*1*). U.P.Act2,1901,s.4(*5*). U.P.Act3,1904,s.2(*5*). Reg.3,1879,s.2(*3*). Reg.6,1893,s.2(*4*). Reg.1,1899,s.3(*7*).
"TENANT AT A FIXED RATE" defined	U.P.Act3,1904,s.2(*6*).
"TENANT-AT-WILL" defined	Reg.2,1877,s.21.
"TENURE" defined (*See also* HEREDITARY TENURE; LIFE TENURE; PERMANENT TENURE; POLITICAL TENURE; UNDER-TENURE)	Act8,1885,s.3(*7*). Ben.Act7,1868,s.1. Ben.Act6,1873,s.3. Ben.Act5,1875,s.2. Ben.Act6,1880,s.3. Ben.Act9,1880,ss.4,40A. Ben.Act2,1882,s.3. Ben.Act8,1895,s.2(*o*). Ben.Act6,1908,s.3(*xxvii*).
"TENURE-HOLDER" defined (*See also* HOLDER OF AN ESTATE OR TENURE)	Act8,1885,s.5(*1*). Ben.Act5,1875,s.2.
"TERMINAL" defined	Act9,1890,s.3(*14*).
"TERRITORIAL WATER OF HER MAJESTY'S DOMINIONS" defined	41-2V.c.73,s.7.
"THAKUR" defined (*See also* TALUKDAR, THAKUR OR JAGIRDAR)	Act21,1881,s.3.
"THEFT" defined	Act45,1860,s.378.
"THEKADARI" defined	U.P.Act2,1901,s.4(*6*).
"THROUGH TRAFFIC" defined	Act9,1890,s.3(*12*).
"THUG" defined	Act45,1860,s.310.
"TICKET" defined	Act9,1890,s.3(*16*).
"TIDAL WATER" defined	57-8V.c.60,s.742.
"TIMBER" defined	Act7,1878,s.2. Bur.Act4,1902,s.3(*14*). Mad.Act5,1882,s.2. Reg.5,1890,s.2(*6*). Reg.7,1891,s.3(*3*). Reg.6,1893,s.2(*10*).
"TO" defined	Act10,1897,s.9(*1*).
"TODA GIRAS' ALLOWANCE" defined	Bom.Act7,1887,s.2.

WORDS AND PHRASES—*contd.*

"TODDY" defined	Bom.Act5,1878,s.3(*6*). Mad.Act1,1886,s.3(*7*).
"TOLA" defined	Act12,1896,s.3(*d*).
"TOLL" defined	Act11,1886,s.3(*10*). Act2,1901,s.2(*h*).
"TOLL-COLLECTOR" defined	Bur.Act2,1898,s.3(*7*).
"TOLL-KEEPER" defined	Mad.Act5,1863,s.16.
"TON" defined	Act15,1908,s.2(*6*).
"TOUT" defined	Act13,1879,s.3.
"TOWN" defined (*See also* MUNICIPAL TOWN; PRESIDENCY-TOWN; VILLAGE, TOWN OR CITY)	Act19,1884,s.2(*1*). Act15,1910,s.10(*2*). Bur.Act4,1898,s.4(*3*). Bur.Act3,1907,s.3(*2*). Bur.Act6,1907,s.4(*6*).
"TOWN OF CALCUTTA" defined	Ben.Act4,1866,s.3. Ben.Act5,1880,s.2.
"TOWN OF BOMBAY" defined	Act4,1857,s.21.
"TOWN OF MADRAS" defined	Mad.Act1,1867,s.2,second.
"TOWN AND SUBURBS OF BOMBAY" defined	Bom.Act5,1863,s.22. Bom.Act6,1863,s.37.
"TOWN-DUTIES" defined	Bom.Act3,1888,s.192(*2*).
"TOWNSHIP-OFFICER" defined	Bur.Act6,1907,s.4(*5*).
"TRACT" defined (*See also* HILL-TRACT)	Ben.Act8,1895,s.2(*i*).
"TRADE-DESCRIPTION" defined	Act4,1889,s.2(*2*).
"TRADE-MARK" defined (*See also* USING A FALSE TRADE-MARK)	Act45,1860,s.478. Act4,1889,s.2(*1*).
"TRAFFIC" defined (*See also* THROUGH TRAFFIC)	Act9,1890,s.3(*11*).
"TRAMWAY" defined	Act11,1886,s.3(*5*). Act9,1890,s.3(*1*). Ben.Act1,1880,s.2. Ben.Act3,1883,s.2. Bom.Act1,1874,s.2. Bom.Act2,1883,s.2.
"TRANSFER" defined	Act27,1866,s.2. Act1,1869,s.2[sub.U.P. Act3,1910,s.2(*1*)]. Bom.Act2,1863,s.16(*g*). Bom.Act7,1863,s.32(*g*).
"TRANSFER OF PROPERTY" defined	Act4,1882,s.5. Act3,1909,s.2(*i*).
"TRANSFEROR" defined	Act5,1882,s.13.
"TRANSFEREE" defined	Act5,1882,s.13.
"TRANSPORT" defined	Act1,1878,s.3. Act11,1878,s.10,*expln.* Act5,1886,s.3(*6*). Act8,1899,s.2(*d*). E.B.&A.Act1,1910,s.3(*21*). U.P.Act4,1910,s.3(*19*). Mad.Act1,1888,s.3(*17*).
"TREASURE" defined	Act6,1878,s.3.
"TREATY" defined	36-7V.c.59,s.2. 36-7V.c.88,s.2. 49-50V.c.33,s.11.

WORDS AND PHRASES—*contd.*

"TREE" defined	Act7,1878,s.2. Bur.Act4,1902,s.3(*15*). Mad.Act5,1882,s.2. Reg.5,1890,s.2(*5*). Reg.7,1891,s.3(*2*).
"TRESPASS" defined. *See* ACT OF TRESPASS; CRIMINAL TRESPASS; HOUSE-TRESPASS; LURKING HOUSE-TRESPASS; LURKING HOUSE-TRESPASS BY NIGHT.	
"TRESPASSER" defined	Act15,1882,s.45.
"TRIAL" defined	Act18,1891,s.2(*7*).
"TRUST" defined (*See also* AUTHOR OF THE TRUST; BREACH OF TRUST; CRIMINAL BREACH OF TRUST; INSTRUMENT OF TRUST)	Act27,1866,s.2. Act3,1874,s.6. Act1,1877,s.3. Act2,1882,s.3.
"TRUST-MONEY" defined	Act2,1882,s.3.
"TRUST-PROPERTY" defined	Act2,1882,s.3.
"TRUSTEE" defined	Act27,1866,s.2. Act1,1877,s.3. Act2,1882,s.3. Act9,1908,s.2(*11*).
"UNCLASSED SUIT" defined	Act18,1884,s.3(*3*). Act6,1900,s.2(*g*). Reg.7,1901,s.2(*1*)(*f*).
"UNCULTIVATED LAND" defined	Bom.Act1,1880,s.41, *expln.*
"UNDERTAKING" defined	Act11,1886,s.3(*8*). Bom.Act1,1874,s.2.
"UNDER-PROPRIETARY RIGHT" defined	Act22,1886,s.3(*9*).
"UNDER-PROPRIETOR" defined	Act22,1886,s.3(*8*). U.P.Act3,1901,s.4(*15*).
"UNDER-RAIYAT" defined	Act8,1885,s.4(*3*).
"UNDER-TENANT" defined	Ben.Act8,1879,s.3.
"UNDER-TENURE" defined	Ben.Act6,1880,s.3. Ben.Act5,1887,s.2. Reg.4,1910,s.3(*b*).
"UNDUE INFLUENCE" defined	Act9,1872,s.16.
"UNION" defined (*See also* MAJOR UNION; MINOR UNION)	Ben.Act5,1876,s.6(*21*). Mad.Act5,1884,s.3(*xxviii*).
"UNITED PROVINCES" defined	U.P.Act1,1904,s.4(*45*).
"UNITED PROVINCES ACT" defined	U.P.Act1,1904,s.4(*46*).
"UNIVERSAL CURRENCY NOTE" defined	Act2,1910,s.2.
"UNLAWFUL" defined. *See* ILLEGAL.	
"UNLAWFUL ASSEMBLY" defined (*See also* MEMBER OF AN UNLAWFUL ASSEMBLY)	Act45,1860,s.141.
"UNLAWFUL ASSOCIATION" defined	Act14,1908,s.15(*2*).
"UNLIMITED CIVIL JURISDICTION" defined	53-4V.c.27,s.15.
"UNPROTECTED CHILD" defined	Act13,1880,s.2(*4*). Ben.Act5,1880,s.2. Bom.Act1,1877,s.2(*5*). Bom.Act4,1879,s.2(*5*). Bom.Act1,1892,s.4(*e*). Mad.Act4,1884,s.3(*xxix*). Mad.Act5,1884,s.3(*xxix*).

WORDS AND PHRASES—*contd.*

"UNPROTECTED PERSON" defined	Ben.Act5,1880,s.2. Bur.Act1,1909,s.3(*b*).
"UNREGISTERED" defined	Act16,1908,s.50,*expln.*
"UNREGISTERED COMPANY" defined	Act6,1882,s.243.
"UNSAFE" defined	Act7,1880,s.4.
"UNSEAWORTHY" defined	Act7,1880,s.4.
"UNSECURED CREDITOR" defined	Ben.Act3,1904,s.2(*1*)(*m*).
"UNSECURED DEBT" defined	Ben.Act3,1904,s.2(*1*)(*k*).
"UNSOUND MIND" defined. *See* LUNATIC; PERSON OF UNSOUND MIND.	
"UPPER BURMA" defined	Act13,1898,s.3(*f*).
"UPPER PASSENGER DECK" defined	57-8V.c.60,s.268(*5*).
"UPPER TANAWAL" defined	Reg.2,1900,s.2(*a*).
"URBAN IMMOVEABLE PROPRETY" defined	P.Act2,1905,s.3(*3*).
"USING A FALSE PROPERTY MARK" defined	Act45,1860,s.481.
"USING A FALSE TRADEMARK" defined	Act45,1860,s.480.
"USUFRUCTUARY MORTGAGE" defined	Act4,1882,s.58(*d*). Act13,1900,s.2(*5*). U.P.Act2,1903,s.2(*4*).
"USUFRUCTUARY MORTGAGEE" defined	Act4,1882,s.58(*d*).
"VACCINATION AREA" defined	Bom.Act1,1892,s.4(*g*).
"VACCINATION-CIRCLE" defined	Act13,1880,s.2(*6*). Bom.Act1,1892,s.4(*f*).
"VACCINATION DISTRICT" defined	Bom.Act1,1877,s.3. Bom.Act4,1879,s.3.
"VACCINATION SEASON" defined	Act13,1880.
"VACCINATOR" defined (*See also* PRIVATE VACCINATOR; PUBLIC VACCINATOR)	Act13,1880,s.2(*7*). Bur.Act6,1908,s.5. Mad.Act4,1884,s.3(*xxx*). Mad.Act5,1884,s.3(*xxx*).
VAGRANT" defined	Act9,1874,s.3.
"VALUABLE SECURITY" defined	Act45,1860,s.30.
"VALUE" defined (*See also* ANNUAL VALUE; ESTABLISHED PAR VALUE; REAL VALUE)	Act18,1884,s.3(*4*). Act22,1886,s.3(*16*). Act6,1900,s.2. Act2,1904,s.2. Mad.Act1,1891,s.3(*32*). Reg.1,1896,s.3(*2*). Reg.7,1901,s.2(*1*)(*g*).
"VALUE PAYABLE POSTAL ARTICLE" defined	Act6,1898,s.34.
"VEHICLE" defined	Ben.Act2,1866,s.51(ins. Ben.Act3,1910,s.4). Ben.Act4,1866,s.3(ins. Ben.Act3,1910,s.4). Bom.Act3,1888,s.3(*q*). Bom.Act3,1901,s.3(*17*). Bom.Act4,1902,s.3(*k*). Bur.Act4,1899,s.5(*4*).
"VESSEL" defined (*See also* COASTING VESSEL; EMIGRANT-VESSEL; INLAND STEAM-VESSEL; SHIP; STEAM-VESSEL)	36-7V.c.59,s.2. 36-7V.c.88,s.2. 48-9V.c.49,s.12. 57-8V.c.60,s.742. Act45,1860,s.48. Act3,1864,s.1. Act8,1873,s.3(*4*). Act8,1878,s.3(*f*). Act9,1879,s.3.

WORDS AND PHRASES—*contd.*

"VESSEL" defined—*contd.* (*See also* COASTING VESSEL; EMIGRANT-VESSEL; INLAND STEAM-VESSEL; SHIP; STEAM-VESSEL) . . . . . Act16,1881,s.7. Act4,1884,s.4(*3*). Act6,1884,s.5(*1*). Act2,1896,s.3(*8*). Act10,1897,s.3(*56*). Act15,1908,s.2(*7*). Act17,1908,s.2(*1*)(*x*). Ben.Act5,1864,s.1. Ben.Act2,1887,s.2. Ben.Act4,1887,s.2. Ben.Act1,1899,s.3(*45*). Bom.Act1,1904,s.3(*48*). Bur.Act1,1898,s.2(*62*). Bur.Act2,1905,s.3(*5*). Bur.Act4,1905,s.4(*10*). Bur.Act8,1907,s.2(*3*). E.B.&A.Act1,1909,s.5(*61*). Mad.Act3,1885,s.3(*2*). Mad.Act2,1890,s.3. Mad.Act2,1905,s.5(*12*). P.Act1,1898,s.2(*57*). U.P.Act1,1904,s.4(*47*). Reg.3,1876,s.3. Reg.12,1887,s.2(*5*).

"VESSEL OF A FOREIGN STATE" defined (*See also* SHIP OF A FOREIGN STATE) . . . 36-7V.c.88,s.2.

"VESTED INTEREST" defined . . . . . Act4,1882,ss.19,21.

"VETERINARY PRACTITIONER" defined . . . . . Act5,1910,s.2.

"VICE-ADMIRALTY CAUSE" defined . . . . . Act16,1891,s.3.

"VICE-ADMIRALTY COURT" defined . . . . . 36-7V.c.88,s.2.

"VILLAGE" defined . . . . . Act18,1881,s.4(*8*). Act1,1883,s.2. Act8,1885,s.3(*10*)(ins. Ben.Act1,1907,s.4). Act11,1898,s.2(*1*). Ben.Act6,1870,s.4. Ben.Act5,1887,s.2. Ben.Act6,1908,s.3(*xxviii*). Bom.Act1,1880,s.3(*1*). Bom.Act1,1889,s.4(*a*). Bur.Act4,1898,s.4(*5*). Bur.Act6,1907,s.4(7). Mad.Act1,1889,s.5. Mad.Act2,1894,s.4. Mad.Act3,1895,s.4. Mad.Act3,1899,s.3. Mad.Act1,1908,s.3(*19*). U.P.Act2,1892,s.2(*1*). U.P.Act3,1892,s.2(*1*). Reg.3,1889,s.3. Reg.4,1895,s.2(*1*). Reg.2,1886,s.2(*2*). Reg.5,1896,s.2(*5*).

"VILLAGE, TOWN OR CITY" defined . . Bom.Act5,1879,s.3(*20*).

"VILLAGE-CESS" defined . . . . Act18,1881,s.4(*3*). Act16,1887,s.4(*12*). Act17,1887,s.3(*10*).

WORDS AND PHRASES—*contd.*

"VILLAGE-CHANNEL" defined (*See also* SEPARATE VILLAGE-CHANNEL) . . . . Ben.Act3,1876,s.3(*2*).
"VILLAGE COURT" defined Mad.Act1,1889,s.5
"VILLAGE-FOREST" defined . . . . . Act7,1878,s.27.
"VILLAGE-FOREST-OFFICER" defined . . . . . Reg.6,1893,s.2(*3*).
"VILLAGE IMMOVEABLE PROPERTY" defined . . . . . P.Act2,1905,s.3(*2*).
"VILLAGE-LAND" defined . . . . . U.P.Act2,1892,s.2(*2*).
"VILLAGE-MUNSIF" defined . . . . . Mad.Act1,1889,s.5.
U.P.Act3,1892,s.2(*3*).
"VILLAGE-OFFICE" defined . . . . . Mad.Act2,1894,s.4.
"VILLAGE-OFFICER" defined . . . . . Act16,1887,s.4(*13*).
Act17,1887,s.3(*13*).
Bom.Act4,1881,s.2.
Mad.Act2,1894,s.4.
Reg.6,1893,s.2(*4*).
Reg.1,1899,s.3(*2*).
"VILLAGE-POLICEMAN" defined . . . . . Ben.Act5,1887,s.2.
"VILLAGE-SERVICE-TENANT" defined . . . . . Act11,1898,s.55.
"VILLAGE-TRACT" defined . . . . . Bur.Act6,1907,s.4(*8*).
"VILLAGER" defined . . . . . Reg.6,1874,s.2.
"VOID AGREEMENT" defined . . . . . Act9,1872,s.2(*g*).
"VOID CONTRACT" defined . . . . . Act9,1872,s.2(*j*).
"VOIDABLE CONTRACT" defined . . . . . Act9,1872,s.2(*i*).
"VOLUNTARILY" defined . . . . . Act45,1860,s.39.
"VOLUNTARILY CAUSING HURT" defined . . . . . Act45,1860,s.321.
Act15,1887,s.3(*6*).
Act5,1892,s.2(*6*).
Reg.2,1888,s.2(*4*).
Reg.4,1890,s.3(*5*).
"VOLUNTARILY CAUSING GRIEVOUS HURT" defined . . . Act45,1860,s.322.
"VOLUNTEERS ON ACTUAL DUTY" defined . . . . . Act20,1869,s.4(*2*).
"VOYAGE" defined (*See also* LONG VOYAGE; SHORT VOYAGE) . Act9,1879,s.3.
Act6,1884,s.5(*5*).
Act10,1887,s.5(*5*).
Act14,1895,s.5(3).
"WAGES" defined . . . . . 57-8V.c.63,s.742.
"WARD" defined (*See also* GOVERNMENT WARD; MINOR) . Act8,1890,s.4(*3*).
Ben.Act9,1879,s.3.
Mad.Act1,1902,s.4.
P.Act2,1903,s.3(*d*).
U.P.Act3,1899,s.3(*5*).
"WARD LIST" defined . . . . . Bom.Act3,1888,s.19(*3*).
"WARD ROLL" defined . . . . . Bom.Act3,1888,s.21(*2*).
"WAREHOUSE" defined (*See also* BUILDING OF THE WAREHOUSE CLASS) . . . . Act8,1888,s.3(*i*).
Act2,1896,s.3(*7*).
Ben.Act1,1893,s.3(*8*).
"WAREHOUSING PORT" defined . . . . . Act4,1857,s.5.
Act8,1878,s.3(*i*).
"WARNING" defined. *See* FORMAL WARNING.
"WARRANT" defined . . . . . 33-4V.c.52,s.26.
Act15,1903,s.17(*3*).
"WARRANT-CASE" . . . . . Act5,1898,s.4(*w*).

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[1] To be repealed by Act 2, 1911.

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